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NEW ZEALAND.

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# PARLIAMENTARY DEBATES.

*Second Session of the Sixth Parliament.*

LEGISLATIVE COUNCIL AND HOUSE OF REPRESENTATIVES.

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*Twenty-seventh Volume.*

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COMPRISING THE PERIOD FROM THE  
SECOND DAY OF NOVEMBER TO THE TENTH DAY OF DECEMBER, 1877.



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# LEGISLATURE OF NEW ZEALAND.

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Native Minister and Minister of Justice	... ..	The Hon. JOHN SHEEHAN.
Postmaster-General and Commissioner of Telegraphs	... ..	The Hon. JAMES TEMPLE FISHER.
Without Office	... ..	The Hon. HOANI NAHE.

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 Barff, Edmund, Hokitika.  
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 Williams, John William, Mongonui and Bay of  
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 Wood, Reader Gilson, Parnell.  
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## NEW ZEALAND.

# PARLIAMENTARY DEBATES.

### Second Session of the Sixth Parliament.

#### LEGISLATIVE COUNCIL.

*Friday, 2nd November, 1877.*

*First Reading—Second Reading—Third Readings.*

The Hon. the **SPEAKER** took the chair at half-past two o'clock.

**PRAYERS.**

#### FIRST READING.

Domicile Bill.

#### SECOND READING.

Public Reserves Sale Bill.

#### THIRD READINGS.

Municipal Corporations Bill, St. Andrew's Church Bill, Lyttelton Harbour Board Bill, Peninsula County Libraries Bill.

The Council adjourned at half-past four o'clock p.m.

#### HOUSE OF REPRESENTATIVES.

*Friday, 2nd November, 1877.*

#### Privilege.

Mr. **SPEAKER** took the chair at half-past two o'clock.

**PRAYERS.**

#### PRIVILEGE.

Mr. **SPEAKER**.—With the permission of the House, I wish to state that there appear on to-day's Order Paper two notices of motion—one by Mr. Stout, "That the position assumed by His Excellency the Governor in the latter part of his memorandum of the 27th October, 1877, in reference to the appointment of Mr. J. N. Wilson to the Legislative Council, is not in accordance with the privileges of Parliament;" and one by Mr. Gisborne, "That a respectful address be presented to His Excellency the Governor, expressing the regret of the House

of Representatives that His Excellency, in his memorandum of the 27th October, 1877, to the Premier, should have taken notice of a matter in agitation and debate in this House. That this House considers that it possesses the ancient and undoubted right and privilege of the House of Commons—namely, that the Crown ought not to take notice of any matter in agitation or debate in that House." I may say that these are not, strictly speaking, regular, as no notice was given of them; but, this being a question of privilege, the House adjourned yesterday in order to take the matter into consideration. I have stated so much to the House on the position of the question, and the opinion of honorable members will bear me out, that I think I should be best acting in conformity with what I gather to be the spirit and intention of the House not to put the question formally, but to wait and see whether any action or proposal has arisen out of the deliberation of honorable members on this question.

Mr. **TRAVERS**.—When the House adjourned yesterday it was at my suggestion, with the view of considering what steps might be taken in the meantime, in order that the question raised by the honorable member for Dunedin City might be discussed in a manner consistent with the dignity of this House, and as free as possible from all party feeling or party spirit. And with a view, Sir, of enabling the matter to come before this House in such a way—with a view of enabling this House to take the subject into consideration in the most impartial manner—it has been suggested that a Select Committee of the House, presided over by yourself, should be appointed search for precedents, and to report on the subject so raised. I therefore move, as a necessary amendment to the motion of the honorable member for Dunedin City—

Mr. **MONTGOMERY**.—The motion is not before the House.

Mr. **TRAVERS**.—I move, as a substantive resolution, That a Select Committee be appointed to search for precedents and to report to this House in relation to the question of privilege raised by Mr. Stout, to consist of the following members—namely, Mr. Speaker, Messrs.

Stafford, Stout, Rolleston, Gisborne, Reader Wood, Moorhouse, Rees, Harper, Johnston, Montgomery, O'Rorke, Wakefield, Ballance, and the mover, with power to call for persons and papers; to report on Monday next; nine to be a quorum; and to sit to-morrow, if necessary. I presume, Sir, that in considering this motion it will not be necessary to refer in any degree to the matter that is likely to be discussed, and that the House will, should it see its way clear, adopt the suggestion I make, and agree to this resolution without entering into any discussion whatever at present on the main question involved in the motion of the honorable member for Dunedin City. With these observations only, I would move the motion which I have already read to the House. I may be permitted, however, to state that the selection of members of the Committee has been made in such a manner as to indicate, on the face of it, the absence of any intention to treat this question as at all a party question. It has been felt by those who have been acting with myself in this matter that it is desirable, in a question such as that which is now raised between the House and His Excellency the Governor, that it should be treated as dispassionately as any judicial proceeding would be treated by an ordinary tribunal. We are not concerned in dealing with this question from any other point of view than that of adjusting and placing on a proper footing the relations which should subsist between His Excellency the Governor and this branch of the Legislature, and I feel assured that, in approaching the consideration of the question, whether by the Committee, or by this House after hearing the report of the Committee, it will be done in a perfectly calm and dispassionate manner. I feel assured, moreover, that the gentlemen who compose that Committee will be able to offer to this House valuable suggestions and information in connection with the question itself.

Mr. SPEAKER.—In putting this question, I would point out that, although it is unusual and contrary to the practice to have the names of a Select Committee proposed and put to the vote on the same day, still, this being a question of privilege, and there being precedents for such a proceeding, I think I shall be right in putting the question.

Mr. REYNOLDS.—I do not rise to oppose the proposition of the honorable member for Wellington City, but I think it will be necessary to put it whether it is the pleasure of the House that this motion should be carried without notice. It might be a very bad precedent for the future if Select Committees, especially of privilege, should be appointed without notice being given. I trust you will put it, Sir, whether it is the desire of the House that such a motion should be made without notice.

Mr. SPEAKER.—There are many precedents for such a proceeding, and I intended to convey that such was the case by drawing the attention of the House to the fact that it was not according to usual practice to name a Committee on the same day as the motion was made. In this case, however, a question of privilege is involved, and

*Mr. Travers*

there are many precedents where, in such cases, a similar proceeding is followed.

Mr. STOUT.—I do not object to the appointment of the Committee, but I should not like it to be thought that there is any doubt on the part of the House that its privileges have been invaded. I am only afraid that the resolution would assume that aspect if the House should pass the motion in its present form. I think something might be put into the resolution to the effect that this House considers that a breach of its privileges has been committed. The reason why a search for precedents is made is simply to obtain information as to the course which the House should pursue if its privileges have been invaded. If they have not been invaded there is no use in a search for precedents. I only state that now, in order that it may not be considered that a breach of the privileges of the House has not been committed.

Mr. J. C. BROWN.—I understand that this is simply a Committee of inquiry, and when the report is brought up it will be competent for the House to take any action it may think fit. It would be better not to put in such words as the honorable member suggests, as it might only lead to an unseemly conflict.

Mr. REYNOLDS.—I rise to move, That the Standing Order which provides that notice be given for the appointment of a Select Committee be suspended, in order that we may not deviate from the regular course of procedure. There is no doubt there may be precedents for the course which is now proposed; but I say it is a very dangerous principle to admit that a Select Committee, especially on privilege, may be appointed without notice unless by the full concurrence of the House. I do not say this in any spirit of opposition to the motion; and it is a very simple matter to suspend the Standing Order, as there are sufficient members present, so that our proceeding may be perfectly regular.

Mr. SPEAKER.—I think it right to state to the House that in my opinion such a proceeding is unnecessary when a question of privilege is before the House. Questions of privilege are, from their very nature, urgent, and, as they take precedence of all other business, they also override all those rules which refer to ordinary business, inasmuch as the major includes the minor. If the House thinks it necessary to move the suspension of the Standing Orders, I will proceed to put the question; but I do not think it is necessary. I await the decision of the House.

Hon. MEMBERS.—No, no.

Mr. SPEAKER put the resolution.

Mr. J. C. BROWN.—I should like to ask whether, on this Committee being appointed, it should not sit at once.

Mr. SPEAKER.—It is premature to answer that question.

Sir G. GREY.—I would venture to put the question in another form. What will be the effect, on the proceedings of the House, of the Speaker being on that Committee? Will the House continue to sit in the absence of the Speaker?

Mr. SPEAKER.—It is evident that the

Speaker cannot be in two places at once; but of course the House will have to decide what action it will take in regard to this matter.

Motion agreed to.

The House adjourned at a quarter-past three o'clock p.m.

## HOUSE OF REPRESENTATIVES.

Monday, 5th November, 1877.

Mr. Speaker—Privilege—Want of Confidence.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

MR. SPEAKER.

On the motion of Sir G. GREY, it was resolved, That in consequence of the state of Mr. Speaker's health, he be authorized, during the remainder of the session, to call upon the Chairman of Committees to occupy the chair at such times as he may require him to do so, without question being put.

### PRIVILEGE.

Mr. TRAVERS brought up the report of the Select Committee on Privileges of the House, which was read as follows:—

"The Select Committee appointed to search for precedents and to report to this House in relation to the question of privilege raised by Mr. Stout, have the honor to report as follows:—

"1. Your Committee, in obedience to the urgency imposed on them by the House, met immediately after the adjournment of the House on Friday last, and have since then given their undivided attention to the subject remitted to them. Ample discussions have taken place, and a careful research after precedents has been instituted.

"2. Your Committee find that the precedents examined and the records of Parliament and writers on constitutional history *passim* establish or recognize the principle that any notice by the Crown of any matter in agitation or debate in Parliament, but by the information or agreement of Parliament, is an infringement of the privileges of Parliament.

"3. They apply this principle to the memorandum of His Excellency the Governor of the 27th October ultimo, as laid on the table of the House of Representatives by command of His Excellency, upon advice of Ministers, in which, in effect, His Excellency declines to take the advice of his Ministers, upon a question to which he otherwise raises no objection, on the distinct ground that a vote of want of confidence in his Ministers is pending. The exact words of the memorandum of His Excellency the Governor are as follow:—

"Wellington, 27th October, 1877.

"The Governor presents his compliments to Sir George Grey, and, in reply to his memorandum on the subject of the appointment of Mr. Wilson to the Legislative Council, the Governor regrets that, after the opinion expressed

by him yesterday to Sir George Grey, the Government should have considered it necessary to press this appointment upon him; and he can only repeat, in a more formal manner, what he said yesterday. If Sir George Grey informs the Governor that he requires this appointment for the purpose of enabling Mr. Wilson to take office in the Government, he will make it at once. If, however, it is, as Sir George Grey informed him yesterday, simply for the purpose of adding to the Legislative Council another gentleman belonging to the legal profession, there can be no pressing urgency for the appointment; and the Governor is of opinion that it would be undesirable to make it at a time when a vote of want of confidence is pending.

"If the Government are supported by a majority of the House, the Governor will be happy to accept their advice, and appoint Mr. Wilson to the Legislative Council; but, pending the decision of the Assembly, the Governor must decline to make the appointment. "NORMANBY."

"4. Under this view, your Committee have been unable to come to any other conclusion than the following:—

"That the action of His Excellency the Governor, in noticing a matter in agitation or debate in the House as the reason for refusing to accede to advice tendered by his Ministers, was an infringement of the privileges of the House.

"5. Your Committee report herewith the minutes of their proceedings.

"WILLIAM FITZHERBERT,

"5th November, 1877."

"Chairman.

Mr. TRAVERS.—I beg to move, That this House concurs in the report of the Select Committee on the Privileges of the House, and that a respectful address be presented by this House to His Excellency the Governor covering the resolution of this House. As may be seen from the minutes of proceedings, I was not present when the report of the Committee was adopted; but I have no hesitation in saying that, had I been present, I should have voted for the adoption of the report. I may at once state—that which will be accepted by the House generally, that which was assumed throughout by the members of the Committee—that, if this does, in the opinion of the House, amount to a breach of the privileges of this House, it was, on the part of His Excellency, an inadvertent breach. No member of the Committee for one moment suggested, nor, I trust, will this House for one moment assume, that the action of His Excellency, if it should be deemed to have been a breach of the privileges of the House, was intended to be so. But the Committee were of opinion that a breach of the privileges of the House had been committed, and I think it my duty to endeavour to satisfy this House that it would be justified in accepting the report of the Committee, not as assuming that His Excellency was guilty of a wilful breach of the privileges of this House, but as evincing a determination on the part of this House to vindicate its privileges. In order that the matter may be understood, I will very briefly advert to the facts of the case. The Government were desirous of introducing into



the Legislative Council a Mr. Wilson, a gentleman whose character and position we have no right to discuss. We may assume that, when Ministers recommended the appointment of a gentleman to a seat in the Legislative Council, they would not take upon themselves the responsibility of making that recommendation if they supposed that the public interests of the colony would in any degree suffer by its adoption. But we are not called upon to discuss the position or the character of Mr. Wilson; nor do I think it would be wise that this House should discuss the question of the constitutional relations existing between the Governor and his Ministry. We are, as I apprehend, dealing in a purely judicial spirit with a question affecting the privileges of this House, and we have to consider whether or not a breach of its privileges has taken place. As I have already said, the Government moved His Excellency to appoint Mr. Wilson to the Legislative Council. His Excellency declined to accept that recommendation, coupling his refusal with reasons which, I think, amount to a breach of the privileges of this House. Something may be said in regard to the publication of those reasons, and to the fact that those reasons were given by His Excellency to his Advisers in connection with the confidential relations which existed between them and himself. But, nevertheless, it appears to me that the very use of those reasons, although strictly confidential, would have amounted to a breach of the privileges of this House. It is a question whether this House could have taken those reasons into its consideration, unless they had been laid on the table of this House; but, His Excellency having concurred in placing the correspondence on the table, including the reasons for refusing to give his assent to their request, he must be held, on his own authority, to have placed before the House the reasons which actuated him in refusing to accept the recommendation of the Government. The House is, therefore, by the act of His Excellency himself, in possession of those reasons; and, being in possession of them, the House is perfectly justified in considering, irrespective of all questions of confidential relations between himself and his Government, whether those reasons do or do not constitute a breach of the privileges of this House. No precedent was discovered by the Committee which went directly to the question at issue; but, as the report of the Committee observes, all the precedents they were able to discover, from the earliest days in which the Parliament of Great Britain has asserted its privileges, concur in establishing the principle adopted by the Committee—the principle that the Governor of this colony is not, for purposes of his own executive action, to take notice of any matter pending in either House of Parliament before that matter is brought under his notice through the ordinary and proper official channel. In dealing with the question submitted to him by his Ministers, he took notice of a debate in this House, upon the result of which would depend the fate of his Ministry. The action of His Excellency in adducing those reasons for refusing to

*Mr. Travers*

accede to the request of his Ministers was, inadvertently no doubt, bringing the weight of his own opinion in regard to the Ministry to bear upon the consideration of the question before this House. This House would have been justified in accepting those reasons as indicative of a want of confidence on the part of His Excellency in his Ministry, and we must not forget that, when a gentleman occupying his high position does in any degree indicate that state of feeling towards his Ministers in so formal a manner as he has done in his memorandum, he is, to a certain extent, bringing the pressure of his opinion to bear on this House. These are the grounds on which a majority of the Committee has resolved that in this case His Excellency has, in a manner contrary to the privileges of this House, taken notice of matter in debate, and based his own executive action upon the existence of that matter in debate. It is for these reasons that the Committee, in applying the principle which they deduced from the various precedents before them, arrived at the conclusion that His Excellency's action amounted to a breach of the privileges of this House. The question of publication might, as I have already said, be a material question. It might open up two distinct views. It is well known that the relations of Ministers to the Governor are of a strictly confidential nature. Ministers, without the consent of the Governor, cannot disclose that which takes place between them in Cabinet, and the Governor is equally bound to keep secret all that occurs in Cabinet. In fact, the consent of both parties is necessary to the publication of anything that takes place in Cabinet. Therefore, before Ministers could have informed the House of the reasons which actuated His Excellency in declining to accede to their request, they were bound to get the consent of His Excellency to do so. When that has been done, then we have the mutual action of both parties—each has concurred; and, the publication having taken place, both parties are bound to accept the full responsibility that attaches to such publication. If the Governor had refused his assent to the publication, then this House might not have been in a position to take cognizance of the matter. But assuming that Ministers, acting in that constitutional manner which was open to them, had, upon the Governor's refusal to accept their advice, tendered their resignations to His Excellency on the ground that they no longer enjoyed his confidence, it would then have been necessary for Ministers to have justified that course to this House: in fact, the House would have been entitled to press Ministers to disclose the reasons which had actuated them in taking that step. If they said that, in taking such a course, they had felt compelled to take it in consequence of the Governor having refused to take their advice, the responsibility for the next step would have rested with the House. The second position is not the one before us, but nevertheless it is a position in which Ministers may be placed, and it would be one of a very embarrassing character. It is one which satisfies me that it is at the mo-

ment when the executive action of the Governor is based upon what may be treated as a breach of the privileges of this House that the offence against this House is committed. It is not committed by publication. It is committed when the Governor takes notice of that which is passing in the House, and which has not come under his cognizance in the proper official manner. Therefore I conceive that the publication of the matter has nothing to do with it, except in investing this House with a full knowledge of the reasons which actuated His Excellency in declining to accept the advice of his Executive. His Excellency's act does not become a wrong simply because the House has become cognizant of it. It is for these reasons that I concur in the report of the Committee, and it is for these reasons that I ask the House to concur in that report. I think it becomes us, in a matter of this kind, to take the earliest possible notice of any attempt, however inadvertent, on the part of the Governor of the colony to infringe the privileges of this House; but I feel, while moving that this is a breach of privilege, that it is due to His Excellency to say that in our opinion it was done inadvertently and unintentionally. I think it should be stated in the address to His Excellency that this House, while feeling it to be its duty to bring under his notice the fact that a breach of its privileges has been committed, also feels itself bound to say that His Excellency had erred inadvertently and unintentionally. I beg to move the motion to which I have referred.

Question put, "That the motion be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	33
Noes	...	...	...	...	19

Majority for	...	...	...	...	14
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#### AYES.

Mr. Baigent,	Mr. Nahe,
Mr. Ballance,	Mr. O'Rorke,
Mr. Barff,	Mr. Pyke,
Mr. J. C. Brown,	Mr. Rees,
Mr. J. E. Brown,	Captain Russell,
Mr. Bryce,	Mr. Seaton,
Mr. Bunny,	Mr. Shrimski,
Mr. De Lantour,	Mr. Swanson,
Mr. Dignan,	Mr. Takamoana,
Mr. Fisher,	Mr. Thomson,
Mr. Hamlin,	Mr. Tole,
Mr. Hialop,	Mr. Wakefield,
Mr. Hodgkinson,	Dr. Wallis,
Mr. Joyce,	Mr. W. Wood.
Mr. Larnach,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Stout,
Mr. Murray,	Mr. Travers.

#### NOES.

Major Atkinson,	Captain Morris,
Mr. Bowen,	Mr. Ormond,
Mr. Fitzroy,	Mr. Richardson,
Mr. Fox,	Mr. Seymour,
Mr. Gibbs,	Mr. Sutton,
Mr. Hunter,	Mr. Teschemaker,
Mr. Hursthouse,	Mr. Whitaker.

Mr. Kennedy,  
Mr. Macfarlane,  
Mr. McLean,

*Tellers.*  
Mr. Brandon,  
Mr. Richmond.

The motion was consequently agreed to.

Mr. SPEAKER vacated the chair, and the CHAIRMAN OF COMMITTEES took it.

Subsequently the following message was received from His Excellency the Governor:—

"The Governor acknowledges the receipt of an address from the House of Representatives, announcing the concurrence of the House in the report of a Select Committee appointed to search for precedents and to report to the House in relation to the question of privilege raised by Mr. Stout, 'That the action of His Excellency the Governor, in noticing a matter in agitation or debate in the House as a reason for refusing to accede to advice tendered by his Ministers, was an infringement of the privileges of the House.'

"The Governor begs to inform the House that he has forwarded the same to his constitutional Advisers, and that, as soon as he has received the advice of his Ministers, he will forward his reply to the House of Representatives."

#### WANT OF CONFIDENCE.

The adjourned debate was resumed on the question, 'That this House has no confidence in the Government; and the amendment, That, as the Government have not yet declared their policy, this House declines in the meantime to entertain the question of "confidence" or "no confidence" in the Ministry.'

Mr. HAMLIN.—It will be in your recollection, Sir, and that of most honorable members, that a few evenings ago I asked the House to adjourn, because I thought it would be an act of kindness on our part to Mr. Speaker, who was suffering from a severe cold and indisposition. Certain honorable members at that time appeared to differ from me, but they will now, I hope, feel assured of the fact that I was acting from the best of motives towards the honorable gentleman who so lately presided over us, seeing that to-day he has had to ask you to take the chair in order to relieve him from his duties, as he is too ill to remain. I felt that an adjournment was also necessary in order to allow two members of the Ministry, who were then indisposed, to recover their health, so as to be able to appear and take part in this debate. Unfortunately, our hopes in that direction have not been altogether realized, and, although those honorable gentlemen are in a fair way of recovery, they are not able yet to take their places in this chamber. The honorable member who brought the motion of want of confidence, in speaking in support of it, stated that, if the honorable gentlemen who now occupy the Treasury benches were to look into the Public Account and make a fair statement to the House, he, for one, would give them his hearty support. That statement appeared to me to be an extraordinary one, for the Ministry had scarcely taken their seats when the honorable member brought forward this motion, before they had had anything like fair time to look into the accounts. It struck me that it was

a kind of red-herring which the honorable gentleman was drawing across the scent in order to disturb the minds of honorable members and to delay the business of the country. Had he waited till the Colonial Treasurer had brought down his Financial Statement, and had he then been in a position to prove that the statements of that honorable gentleman were incorrect, or that the policy shadowed forth would be detrimental to the interests of the country, I should perhaps be found voting for the honorable member; but throughout his whole speech nothing was left upon my mind but the impression that he was in a hurry to regain his seat on the Treasury benches without allowing the accounts to be looked into, and without allowing the public to know our proper position. In the course of his remarks also he accused the Premier of being an autocrat. I have had the pleasure of knowing the honorable gentleman at the head of the Government for many years, and I certainly have never known him to be guilty of conduct that would deserve such a term. But what did we see on the part of the honorable member for Egmont? During the last recess officers were dismissed without a moment's warning, without even the cause of their dismissal being explained to them. That, to my mind, was rather an autocratic proceeding. I do not believe that, if the whole colony were searched, we should find another gentleman more despotic in his ideas, and more autocratic, than the honorable member for Egmont; and, when he tried to make the House believe that the Premier was an autocrat, I think he was making a mistake, and that really he wished the House to understand that he himself was the autocrat. The honorable member further went on to say that the present Premier never had a majority in the House. Let us for one moment glance at the positions of the two honorable gentlemen. One has certainly a very strong following in this House, whilst the other, personally, has none. The honorable member for Egmont has no party in this House to follow him or to esteem him either for his ability or for anything he has done for the good government and welfare of the colony. Although he has for years been in the Government, he has never shown us that great ability which he would fain have us believe he possesses. Other speakers who followed, and notably the honorable member for Waikato, endeavoured to make honorable members believe that it was owing to the House being in an excited state of mind that the Native Lands Bill was dropped. I do not believe that any statement whatever could have fallen more flatly upon the ears of honorable members than did that assertion. We are all perfectly well aware that had that measure been passed the peace of the colony would have been endangered. An honorable gentleman near me says "No." I repeat that had that measure been passed the peace of the colony would have been endangered; and, in fact, I believe I am justified in saying that war would have been inevitable. I do not say this without having a large knowledge of the Natives, perhaps quite as large as that possessed by most members of this House; and

*Mr. Hamlin*

thus it is that I speak somewhat positively on the matter. The honorable member for Napier (Mr. Sutton), in addressing the House the other evening, told us that the telegrams received from Manuhiri and others had not been correctly interpreted. I had the honor of seeing those telegrams when they were received; I saw the interpretation; and I can tell that honorable gentleman that they are perfectly and straightforwardly interpreted. There was nothing added to nor anything taken from them, but the wishes of those who sent the telegrams were merely put into English. Upon this I can speak more positively than the honorable gentleman, inasmuch as I have a very great knowledge indeed of the Maori language—certainly a much greater knowledge than the honorable member for Napier. The honorable gentleman's colleague, in addressing the House, took exception to the remarks of the honorable member for the Eastern Maori District. I shall go more into that subject when speaking as to what I think those telegrams clearly point to, and as to the good that may be gained generally by the colony retaining the present Government in office; but before proceeding to that I should like to refer to one or two remarks which fell from the honorable member for Nelson City. That honorable gentleman, in excusing his conduct, said that the Government had already foreshadowed its policy. He was shortly afterwards followed by the honorable member for Wanganui (Mr. Fox), who, on the other hand, was positive that the Government had not shown their policy. It was amusing to listen to the contradictions which seemed to exist in the minds of those gentlemen, who both stated that they intended to support the motion of the honorable member for Egmont. We have one honorable gentleman, with a long political career, a man who has served the people of New Zealand in Parliament for many years, stating most positively that no policy has been shadowed forth; whilst we have another honorable gentleman, who has also occupied high positions in the colony, stating that it had been declared. Now, were we not all men possessed of minds of our own, who can discern the views, wishes, and intentions of people, we might be misled by the remarks of gentlemen who occupy high positions, and who have been before the public for a great length of time. I am one of those who believe that, had proper time been given, the Government would have brought down a policy which would have been acceptable to a large majority of this House; and a motion of want of confidence being brought down in such a hurried manner simply goes to prove, in my mind, that honorable gentlemen were afraid that such a policy would be propounded as would deprive them of the opportunity of ever again sitting on those benches. That is, to my mind, a patent fact.

Major ATKINSON.—Hear, hear.

Mr. HAMLIN.—I am very glad to have been able to get a "Hear, hear," from the honorable member for Egmont. I trust it is given from the bottom of his heart, and not from his lips alone; for it is quite apparent that he was actuated by sordid and mercenary motives in bringing down his motion.

Major ATKINSON.—I should like to call your attention to those words, Sir.

The ACTING-SPEAKER.—It is not Parliamentary to impute such motives, and I hope the honorable gentleman will not repeat them.

Mr. HAMLIN.—I bow to your ruling, Sir. I would be very sorry to use words which are not Parliamentary. Of course I recall them, although I cannot help saying that that was the impression left on my mind. We certainly should have greater reasons for the adoption of the motion than those given by the honorable gentleman when he moved it. The honorable member for Wanganui tried to make a point by attempting to show that an immense saving had been made by the abolition of provincial institutions; but the honorable gentleman, having been absent from the colony for some time, was evidently not aware, or had forgotten, that during his absence the county system was established; and he omitted to take into consideration the expenditure incurred in bringing that system into operation and working it generally. Had the honorable gentleman taken this into account, he would have failed to show that any saving had been effected, but, on the contrary, would have been obliged to admit that larger expenditure had to be incurred. I was a consistent opponent of the Government last year, and I opposed them because I did not think they were carrying out the Public Works scheme in a systematic manner, or in a way beneficial to the well-being and general good of the colony. Many reasons were urged upon the late Government for pushing on certain works. They neglected those works, and consequently the colony has been a great loser. Now, I think that to allow such a state of things to exist would simply be equivalent to admitting that there are only seven gentlemen in New Zealand capable of governing it. There are those who think differently, and I trust that the honorable gentlemen who occupy the Treasury benches will have fair-play, and that time will be allowed them to shadow forth their policy and to carry it out. I said just now that I should have to allude to the remarks which fell from the honorable member for Napier (Captain Russell) with reference to the observations of the honorable member for the Eastern Maori District. The honorable member for Napier accused that honorable gentleman of threatening this House with a war upon every possible occasion. I have listened to most of the speeches which that honorable gentleman has delivered to this House. He has not, of his own personal will, threatened the House with a war, but has simply said that, from his knowledge of the mind of the Natives, he believes that under certain circumstances a war would in all probability break out. Surely that is not threatening the House with a war. It is the duty of every member who knows the state of feeling existing in any particular part of the country to come here and explain the views of those whom he may represent. That is all the honorable member for the Eastern Maori District did. I myself have been for months somewhat uneasy as to the intentions of the Natives. Some people have ridiculed the idea of the present

concentration of the Natives in what is termed "the King country." They have tried to make the public believe that the object of the Natives in this concentration of their people is simply to cultivate the land and sell the produce to the Europeans. Were that really the fact no one would be more delighted than myself. But I think the late Government must have been told that certain people in the King country had stated that they were concentrating their people for no other purpose than to attempt to regain the Waikato. Thus it was that the settlers in that district felt uneasy at the conduct of the late Ministry in withdrawing the Constabulary from a very important post in the Waikato. A question was asked by the honorable member for Waipa on the subject, but the idea was pooh-poohed, and an opinion expressed that the Natives were collecting simply for the purpose of growing grain, and other peaceful purposes. Some months ago one of the King's executive came into my district, and he did not for one moment hide the intention of the Natives. He told us that he had come to take away the best and the ablest young men he could find in the district, for the purpose of having them ready for retaking the Waikato. That, I believe, must have been reported to the Government. If not, some of their Native officers have been very neglectful of their duty, inasmuch as it was known throughout the length and breadth of the district. I saw Ahipene Kaihau take away fifty or sixty as fine men as it has ever been the pleasure of any man to look at. Now, above all things, we should endeavour to guard against another Native war. What does it mean? We may talk about borrowing a million or two for public works, but if another war breaks out we shall have to borrow eight or ten millions in order to bring those who are in rebellion into subjection, and to afford compensation to thousands of ruined families. I would ask the House to pause before it forces the Native people to commit a breach of the peace, because I hold that the present Native Minister and the Premier, more than any other two gentlemen in New Zealand, are better able to deal with the Natives, and better able to avert another Native war. I firmly believe the telegrams which state that, if those gentlemen are allowed to keep their present seats, we shall be permitted to open up the country between our present boundary at the Waikato and the southern provinces. Nothing could be more beneficial to our welfare as a people, and nothing could be better for both races. It would most effectually put an end to any dread of a Native outbreak for the future. I also regret that the late Government, while it was in power and had the command of plenty of money, should have neglected to open up a large tract of country to the north of Auckland. The honorable member for Newton, when addressing himself to this question, pointed out how the honorable member for the Thames (Mr. Rowe) had long sighed to see a number of people who had made money on the Thames Gold Field having an opportunity of settling on the land. If the Government had not got land I could excuse them for neglecting to

settle those people, but they had in their hands no less than 450,000 acres of land to the north of Auckland. They had several large blocks of the very best of land—land upon which a large population ought to be settled, and which must necessarily assist us in carrying out the colonization of this country. Now, those people have been driven from the Island through the neglect of the late Ministry. The Ministry have allowed those men to leave our shores without giving them an opportunity of beautifying the wilderness. They have locked up those lands, although for what purpose I cannot say. I think they have done so through negligence. I shall not now continue my remarks in that direction. These are the reasons which will induce me on the present occasion to vote against the motion of the honorable member for Egmont. I believe those gentlemen on the Treasury benches will avert a Native outbreak, and will be the means of opening up the country between our present boundary at the Waikato and the southern provinces. Therefore I ask honorable members to calmly consider their votes on this occasion, for if they bring war into our country they must be prepared, not only to vote money, but to shoulder the rifle themselves and go forth to meet the enemy. Those who have previously had to do so are tired of it. We say that we can manage the Natives without another war; but, if we are forced into a war, let those who so force us prepare to shoulder the rifle, and do as many of us have done, ruining our health in lying out in the open for months while following up the murderers of our friends and relatives. I ask the House to consider the matter carefully, and, if they do so, I venture to say the honorable member for Egmont will have to withdraw his motion, or it will be negatived by a considerable majority.

Mr. TOLE.—Sir, I think it is my duty, before the question is brought to a vote, to express my opinion. I intend to say very few words upon the subject. In fact, any honorable gentleman who gets up now to address the House must necessarily be confined to very few words. The honorable member for Selwyn, the other night, said the whole of the argument was not to be on the Government side of the House. Honorable members are so much mixed up in the House at present that it is hard to say which is one side and which is the other; but if there be any arguments on that honorable gentleman's side of the House they have certainly kept those arguments to themselves. Of course the honorable gentleman had a little speech to make, and, after making it, like the honorable member for Wanganui he went out. I am sorry the honorable member for Selwyn did not remain on that occasion in order to hear the excellent disquisition of the honorable member for Newton upon a question in which the honorable member for Selwyn is interested as much as any honorable member—namely, the question of brains. I believe that was one of the finest disquisitions I have heard from any honorable member on that question, and would have been a credit to any of our modern philosophers. The honorable member for Selwyn went on to remark upon the honorable member

Mr. Hamlin

for the Thames speaking to the gallery; but he must surely have forgotten the speech of the honorable member for Wanganui, the greater part of which, I think, was addressed to the gallery, particularly the "dusty" part. The honorable member for the Thames never addresses the gallery. If he addressed any one in that sense he addressed himself to the country at large, which, on such an occasion, the country requires and will respect him for. But I think it must be admitted that the speech of the honorable member for Wanganui—although there was nothing in it—was addressed to the gallery. I could not help remembering, as a fitting epitaph on that speech, one line of Pope's "Elegy on an Unfortunate Lady,"—

A heap of dust alone remains of thee.

That was the sum and substance of the whole speech. The honorable member for Selwyn said, by way of justification, that these motions were very common—that Sir Julius Vogel moved a vote of want of confidence in 1872. Certainly Sir Julius Vogel did move such a motion in 1872; but not with this indecent haste. Whatever we may say of Sir Julius Vogel, we must admit that he had breadth of conception, boldness in working out that conception, and that he would never make an attack of this kind—proceeding to table a motion of want of confidence one week after his Government had been turned out. On the occasion alluded to by the honorable member for Selwyn, Sir Julius Vogel was out of office a whole month; and, besides, he allowed the financial policy to be brought down, and waited to assail that policy. But in the present instance, before any statement of the position of the country is made, those gentlemen have assailed the Government when they have scarcely a fixed hold upon their seats. From the sympathy which I possess with the present Government it can scarcely be expected that I shall give the motion under discussion much support. Moreover the speech of the honorable member for Egmont was of so hollow a character that it must have disappointed not only himself, but also all those admirers who recently unanimously selected him as the leader of the Opposition. I have frequently listened to the honorable gentleman with very great pleasure and attention. I believe I have listened to him with as much appreciation of his forcible and practical utterances as any one of his admirers. But I certainly think it must be admitted that the speech he made in introducing this want-of-confidence motion was one of the weakest that were ever made in this House. I could not help thinking of the position which the honorable member for Waikouaiti allotted to himself in the late Ministry. He must certainly have repented of having called himself the weakest member of the late Ministry, after hearing his late Premier speak in such a weak manner. The honorable member for Waikouaiti must certainly have felt himself somewhat exalted on hearing that speech. I take it that if a want-of-confidence motion is to have any weight at all it must necessarily attack the policy of the Government against which it is directed. Now, the honorable member for Egmont expressly stated that he would

not venture to criticise the policy of the present Premier; but went on to deal with ancillary matters concerning the present Ministry, their *personnel*, as it is called, and not grounds of real substance. In that respect, and in others, he attempted to plagiarize the mode, though certainly not the time, of the attack of Sir Julius Vogel in 1872. He admitted the wisdom of retrenchment; he admitted the wisdom of an investigation into and simplification of the finances; and he also admitted the necessity of an economical and vigorous prosecution of public works. He admitted, so to speak, all the questions of policy and administration in the Premier's statement. Well, an honorable gentleman in the position of the honorable member for Egmont, who wished to assail the Government on any main points, should not have admitted these things, but should have proceeded on some large questions, and not of an immaterial and personal character. No doubt the honorable gentleman will say in his reply that the whole of the finance dealt with by the Treasurer is to be found in the tables to the Financial Statement first brought down this session. The question is, where to find it. If credit is to be given to the present Treasurer for anything, it must be because he has collected together the whole monetary figures of our position, and, as it were, put on a pin's point our liabilities and the amount which we require to pay them with: in fact, he has put the whole of the finances of the colony into such an intelligible shape as we could never have arrived at from the maze of tables hitherto submitted to the House. If we look at the speech of the honorable member for Egmont we are naturally impelled to this conviction: that he was very unhappy and very confused in his mode of making out his case. He first started by begging the question. He said there was no confidence in the present Government, because it had not the support of a majority of the House. Why, what is the object of the present motion? Is it not only by a vote of the House that we can ascertain whether the Government have a majority? Consequently, in making that rash statement he has failed at once. Then, instead of pursuing an attack, he abruptly appealed to the chivalry of the Premier, and said the only manly course for that honorable gentleman to pursue would be to reject the amendment of the honorable member for Port Chalmers and come to a vote at once: in other words, he says, "Be beaten, and let us come back to office." Then he asked why certain gentlemen who surround the Premier are not allied with him as Ministers. Well, I take it that that is scarcely a question for the honorable member for Egmont to ask. The responsibility of forming a Ministry is entirely the business of and rests with the Premier, and no one else. I do not suppose that, if the honorable member for Egmont got into power and became surrounded with certain honorable members, a want-of-confidence motion would be brought against him on such a ground. Then he alluded to what had occurred in another place, as he calls it, and he complained that the gentleman who occupies the position of representative of the present Government in

that Chamber only holds his position for one session. Well, supposing that is the case, we have plenty of precedents for that. We need go no further back than 1872, when we find that Sir Julius Vogel informed the House that Mr. Ormond, the late Minister for Public Works, was going to take the position of Minister for Public Works only for the session, to meet the difficulty of the situation, and that after that session Mr. Richardson would enter the Cabinet and carry on the Public Works Department. He also complains of an expression used by the representative of the Government in another place—namely, the term "conservative"—and he fixes upon that word its technical signification. But he answers himself the objection he raises, because he admits that the Hon. Colonel Whitmore is only to hold office during the remainder of the session. Then clearly so far the Government is acting in a conservative manner, because it is keeping things as they are at present. They promise that there shall be no radical changes during the present session, and that not until next session will they be enabled to bring down a large and general policy. Of course this naturally leads to the question of the formation of the Cabinet, in which it was stated there is not unity of political opinions. In all Cabinets there are open questions and Cabinet questions. In the former, Ministers are free to act as they like, and in the latter they are united to stand or fall by them. An able writer on the subject expresses it thus:—

"Unanimity in the Cabinet is even now a mere phantom. . . . The concert of Cabinets consists at present not in unanimity of opinion (for it is impossible to conceive that all their members will arrive at identically the same solutions of all the complicated questions submitted to their consideration), but in concerted action—that is to say, a sacrifice, greater or less, of individual convictions to the necessity of presenting a strong front against their political opponents."

I take it that that is the real position of Cabinet Ministers in relation to each other, although I would rather use the words "temporary suppression of their opinions," instead of "sacrifice of their opinions." I do not suppose for a moment that the honorable gentlemen who occupy the Government benches at present will to any great extent sacrifice their individual opinions, although they may temporarily suppress them, in order that they may show a bold front to their political opponents. But we need not go far back to find that in this Parliament members of the Cabinet have before to-day held very diverse individual opinions—that they have suppressed their opinions in order to show a bold front to their opponents. We need only remember the positions of the honorable member for Waikato and the honorable member for the Taieri. Those are gentlemen who hold strong Separation views in common, but who are very widely divided upon the question of the Land Fund. I do not think, therefore, that the honorable member for Egmont was happy in adopting that argument as a ground upon which the present Government should be turned out

of office. Even if the honorable member for Egmont carried his motion, where would he find a Cabinet which would not be divided upon several large questions? The next objection taken was that the Premier was unable to find gentlemen to fill all the offices. I had taken a note of that, but it was well answered by the honorable member for Hokitika (Mr. Barff), who quoted the words which the honorable member for Wanganui (Mr. Fox) used under similar circumstances in 1869. I suppose that honorable gentleman (the member for Wanganui) will vote for the motion of the honorable member for Egmont; although, in 1869, when he had only three in his Ministry—himself, Sir Julius Vogel, and Sir Donald McLean—he said,—

“Such a course is not at all unusual, as this House will at once recognize that on many previous occasions a partially-formed Ministry has been presented to His Excellency, and has taken its seat on these benches.”

Those were the words of the honorable member for Wanganui, and, considering the large influence he has exerted in the affairs of the country and his long Parliamentary experience, he must be accepted as an authority. Then the next objection—the strongest objection, and at the same time the weakest—was that there had been delay on the part of the Government in bringing down the Financial Statement. I say it was the strongest objection because it was made the most of; but, at the same time, it was the weakest, because there was the least reason in it. From the very first moment the present Government took their seats upon those benches the honorable member for Egmont showed a most indecent impetuosity in trying to fix a certain day upon the Premier and the Colonial Treasurer to make that Statement. He thought he would trap the Treasurer into bringing down precipitate financial proposals, and thereby charge them with indefiniteness. The honorable member and his friends must have laboured under a delusion consequent on an inordinately lengthy tenure of office. They must have thought that the honorable gentlemen who occupy the Government benches could have at once known all the secrets which were known to those gentlemen who had occupied office for seven or eight years. This was especially unfair under the circumstances. In 1869, the Hon. Mr. Fox, on the occasion of a change of Ministry, used, I may say, precisely the same words which the honorable member the Premier used the other evening—so much so that the Hon. the Premier might have been charged with copying his Ministerial statement from that delivered by the honorable member for Wanganui, who said this in 1869:—

“Then, Sir, as regards the financial arrangements which will be necessary to enable us to carry out these views, I may say that the Colonial Treasurer has had very little time, since he was sworn in, for inquiring into the financial condition of the colony, and making himself master of our actual position.”

That is precisely the position which the present Premier lately took up. He apologized for the

circumstances in which he found himself on his recent accession to office, and simply promised that shortly his honorable friend the Colonial Treasurer would bring down a Financial Statement—in the words of Mr. Fox who said, further,—

“I cannot, in the imperfect state of information in which we are on this subject, enter further into the question of finance; but the Colonial Treasurer will, I trust, very shortly be in a position of making a statement to the House.”

And yet the honorable member for Wanganui will vote with the present Opposition. Then, turning to the Statement of the Hon. the then Treasurer (Sir Julius Vogel), made a few days afterwards, when he came down with a Financial Statement in Committee of Supply, we find he used these words:—

“I trust the Committee will bear in mind that I have been but a very few days in office, and consequently have had great difficulty in acquiring the amount of information on the subject which I consider the Committee entitled to.”

All this goes to show that the people who are entitled to the greatest consideration are those who follow into office on occasions like this, as my honorable friend the Premier and his colleagues have done. Then, in 1872, when Mr. Gillies, as Colonial Treasurer, came into office, he had about seventeen days to make his Financial Statement. He took office on the 10th September, and did not bring his Financial Statement down until the 27th September. Thus he had seventeen clear days in which to prepare his financial proposals. At that time, it must be remembered, the debt of the colony amounted only to some £10,000,000, so that, if we are to give time in proportion to the magnitude of our present debt and financial difficulties, we may say that the honorable gentleman who now occupies the position of Colonial Treasurer on those benches should have nearly three times that period in which to prepare his Financial Statement. On the whole, therefore, I consider that the position taken up by the honorable member for Egmont is, to say the least, precipitate, unjustifiable, and diametrically opposed to all Parliamentary precedents in this House. Since the honorable gentlemen have been on this side of the House they have reminded me of the proverbial story of the demure faces that are to be seen on all who have had anything to do with Chancery Courts. It is said that the Chancery Court Judges have very elongated countenances; that the barristers in practice in those Courts also wear very long faces; and, in fact, that even the spectators and the ladies who go into the galleries to view the Court proceedings are affected by the same mysterious agency. Well, that is just the appearance of those honorable gentlemen. They have assumed a tragic face, and put off that comic face and dropped the laughter that they used to indulge in when they were on the Government side of the House. Now, Sir, if we should vote that we have no confidence in the present Administration, I do not know in whom we should say that we have confidence, for surely we cannot have again any confidence in the mover of this

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motion as Premier. Should the motion be carried we must have a coalition Ministry formed, composed partially of the gentlemen who were turned out and partially of those gentlemen who assisted to turn them out. I do not think the country, therefore, would have any confidence in such an Administration as that. The country must be averse to a coalition of that kind, and if those gentlemen took office it would be but to lose their seats once more. While on this point I must say that I feel pain at seeing gentlemen occupying the position which this majority spoken of by the Opposition, if there be a majority, will occupy. I respect members who vote with their party—I am a strong party man myself, and would make many sacrifices of individual opinion in order to adhere to my party as a whole; but, while I can go so far in admiration, I must say I think the conduct of those gentlemen who can now support the late Government after ejecting them deserves the deepest contempt. On the whole, I am at a loss to know on what ground the honorable member for Egmont tabled his motion. I have turned it over in my mind; I have carefully read the honorable gentleman's speech, and heard what little there was of argument on that side of the House; and I cannot help coming to the conclusion that the object in view is simply to get back to office. Nothing more. The honorable member for Auckland City West gave the late Government a capital name, that of the "tick" Government. Well, Sir, ever since they have been in opposition I have been thinking they are a "tick" Opposition, for all round me, ever since those honorable gentlemen were turned out of office, they have been engaged in ticking off the names on the cards of members. So that, both as Government and Opposition, they may be termed "tick" Government and "tick" Opposition. Sir, I have not the slightest doubt that the country will have very great confidence in the present Government, and I would base my reasons for saying so on the following grounds: First, we have a double strength in the Ministry now for settling the Native difficulty. We have, as Premier, a gentleman who requires not a single word from me to assure the House and the country of the favourable position he occupies in the eyes of the Natives, and of their friendly relations towards him. We have heard telegrams read from Tawhiao, and other leading rebel Natives, expressing a desire to meet him and to establish friendly relations with him on behalf of the European race. And, besides that honorable gentleman, we have also in the Ministry the present Native Minister, whose popularity amongst the Natives of the North Island is undoubted. Then there is another point which must give an assurance of confidence to the country, and which has not been touched upon by any other member who has addressed himself to the House upon this question—that is, the question in regard to petitions. People who send petitions to this House trust that they will have the grievances they complain of redressed during the session. A Public Petitions Committee have a very arduous task in considering these petitions. They go into long in-

quiries with regard to them, call before them and examine many witnesses, who have to be in attendance from week to week, while the petitioners are kept in constant anxiety as to the result. Then comes up a recommendation from the Committee favourable to the petitioner; and what is the result? I have myself seen many cases in which the late Government over and over again have been asked what they intended to do to give effect to the report, however favourable, of the Committee; and to my regret and, I may say, disgust, I have often heard the answer that the Government would not accede to the recommendation of the Committee. That is a very poor consolation not only to the petitioners, but to the gentlemen who have given so much time and trouble to the consideration of the petitions. If there is anything that will establish confidence in the present Administration, it will be the announcement made by the Hon. the Premier the other day that the Government will in every case, as far as possible, accede to the recommendations of the Public Petitions Committee. It will also have another good effect, for it will give confidence to those gentlemen who examine into the petitions that there will be some beneficial result from their deliberations. While on this subject, I cannot help referring to one matter, which is partly of a personal character and partly of a public character. I presented a petition last year from nearly a thousand of the inhabitants of Auckland and the surrounding districts, with regard to an unreasonable obstruction by the late Government of a public wharf there, named the Wynyard Pier. The allegations of the petition were fully discussed, and the evidence of some of the members of the late Administration themselves was taken; and, after taking that evidence and going into the matter very fully, the Committee arrived at the conclusion that direct access should be given from a certain street to the jetty, the communication to which had been unwarrantably interrupted. I was very much pleased at the terms of that report, because I conceived that it was only doing justice to the public, on whose behalf I had presented the petition. I then asked the late Government whether they would accede to the recommendation of the Committee, and they said "No," and this in the face of nearly a thousand people, who had gone to a great deal of trouble and expense in preparing that petition and presenting it to this House. During the recess I saw the Resident Minister in Auckland, Mr. Whitaker, and introduced several deputations to him. I was then assured that the request of the deputation would be acceded to, but that he must first wait for a report from the Engineer-in-Chief, who was shortly expected in Auckland. That gentleman came up; I interviewed him, and arranged with him to introduce a deputation on the subject of the propriety of carrying out the recommendations of the Petitions Committee. He made an appointment with me—I mention this in order to show the amount of courtesy which can be displayed by some Civil servants—to meet about twenty or thirty of the most influential gentlemen in Auckland; and I arranged



that the meeting should take place at eleven o'clock on a certain day. But, to my surprise, on the morning of the day on which I was to introduce the deputation I saw in one of the newspapers that the Engineer-in-Chief had left Auckland the day previously. This he did without informing me, by note or in any other way, that he was leaving; and from that day to this I have not received the faintest explanation from him of conduct which, to say the least of it, was very impolite, and exceedingly discourteous to those gentlemen whom he had appointed to meet. I bring this matter forward to show the trouble people will go to in order to have their grievances redressed, and the necessity there is that Parliament should, if possible, grant that redress without delay. I assert that, if there is anything that will give people confidence in the present Government, it is the fact that they will know that their petitions will be properly attended to, and will receive favourable consideration at the hands of the Government. There is only one point to which I need now refer, and it is one rather of a constitutional character than otherwise. It is the question of whether the present Government should leave those benches in the event of an adverse vote being carried against them. Of course my opinions and exhortations on the subject may or may not be very much heeded; but I say that, on constitutional grounds, they should not establish a precedent by leaving those benches under the circumstances. Notwithstanding that the honorable member for Waikato has said that there is no precedent during the last seventy-five years for a Ministry holding office against the vote of the majority of the House, I say that his statement is contrary to history. Several cases, which it is unnecessary to go into now, have occurred even within the last forty-five years; but the honorable member for Rangitikei went into that point so fully that it is unnecessary for me to speak further on it. I wish, however, to affirm this distinction: that the Government should hold office until the business of legislation is arrested: I do not go into the question of administration. As long as the present institutions are conserved there can be no reason adduced for ousting them from office. There is really now no question before us as to overturning the policy of the country. It is simply a question of administration, and that is admitted even by the honorable member for Egmont and those who, like him, are desirous of going back to office. They have asked for and supported retrenchment, vigorous prosecution of public works, simplification of the finances; and the present Government have promised to carry out all these matters of administration. Therefore, as this is a course impossible of exception by the honorable member for Egmont, there is no reason whatever for ousting the present Ministry upon that question. I will next take the legislative form of the question. The present Administration, when in opposition last year, expressed opinions distinctly in favour of extending the franchise, of having triennial Parliaments, and of a proper administration of the Native land. The present Opposition have admitted the

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necessity for all that, and, in fact, during the present session have stated that they would, during the recess, consider the question of revising the incidence of taxation—also a question of policy promoted by the present Government. These are questions on which both sides are agreed. On those grounds, I say that, until the present Government are arrested in endeavouring to pass legislation, they should not leave those benches. This is the invariable dictum of constitutional writers. Mr. Disraeli, in a speech he made on a vote of want of confidence in the Melbourne Ministry in 1841, also laid down this distinct doctrine, that "No man contends that, merely because the Government is in a minority in the House, therefore it ought to resign;" and he follows that up by saying, "Next to the assumption of power is the responsibility for relinquishing it." I say that, if we had no other authority than this, it should be sufficient to entitle those honorable gentlemen to maintain their seats. I have nothing further to say upon the question. Although the discussion has been fairly exhausted by other honorable members, and although I labour under great disadvantages in rising at this period of the debate, I felt it my duty, representing, as I do, a very large constituency, to express my opinions. I hope the House will calmly consider the question at issue, and the feelings of the country at large. I have narrowly watched the Press during this discussion, and I can appeal to it to prove that the opinion of the country at large is unanimously in favour of the present Administration having a fair opportunity to express its policy. There is but one newspaper which is of a different opinion, and that is a paper published here, for which I think no honorable member has much respect. If the Opposition had allowed matters to take their ordinary course, the Colonial Treasurer would have delivered his Financial Statement long before this. There would then have been a fair opportunity for discussing the policy of the new Government, and parties might have been arrayed upon some tangible grounds. At present there is really nothing to go upon. The Opposition are merely going upon personal and other grounds which are of a trivial and untenable character. I hope, therefore, that the amendment of the honorable member for Port Chalmers will be carried, and that the interests of the country will receive that amount of consideration which they deserve.

On the motion of Mr. W. WOOD, the debate was adjourned.

The House adjourned at eight o'clock p.m.

## LEGISLATIVE COUNCIL.

Tuesday, 6th November, 1877.

First Reading—Second Readings—Third Readings—Wellington City Loans Bill—T. Thomson—Oamaru Reserves Bill—Slaughterhouses Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

## FIRST READING.

Wyndham Show-Ground Bill.

## SECOND READINGS.

Domicile Bill, Manawatu Land Orders Bill, Dunedin Loans Consolidation Bill, Waikato Hospital Reserves Bill.

## THIRD READINGS.

Volunteers and Others' Land Bill, Wakapuaka Telegraph Station Site Bill, Dunedin Town Hall Site Bill, Waiwera School Glebe Exchange Bill, Lawrence Waterworks Bill.

## WELLINGTON CITY LOANS BILL.

On the question, That this Bill be read a third time,

The Hon. Mr. PHARAZYN moved, That the Bill be recommitted, for the purpose of amending clause 3 as follows—namely, To reinsert lines 4 and 5, and in the 6th line to strike out "three thousand pounds," and insert "two thousand nine hundred pounds three shillings and tenpence" in lieu thereof. He desired to point out that the Council had been labouring under a very great mistake as regarded the appropriation of the money. The idea the Council had was, that the Corporation of Wellington had possession of the present Provincial Buildings, and could use them as they liked. That was not the fact. The Corporation merely occupied two rooms in the Provincial Buildings, for which they paid £100 a year to the General Government. It was an absolute necessity that they should have increased accommodation. At present, the Corporation paid—for the Town Clerk's office £100 a year, for the City Surveyor's office £50, for the Drainage Engineer £100 for two rooms, for the Waterworks Engineer £50 for one room, for the Inspector of Nuisances' Office £40 for one room; and the Corporation paid other rents of £100, bringing the total up to £440 a year. They required £7,000 to build new offices, and that sum at 6 per cent. would amount to £420, and if they borrowed the money and built offices of their own they would have the advantage of being under one roof. At present, great inconvenience was necessarily caused, both to the public and to the Corporation, through the offices of the different departments being separated. The original plan was to build a town hall, with the Corporation offices under one roof, to cost £20,000; but the City Council abandoned that scheme, and reduced their plan to a minimum cost of £7,000 for offices only. What would be the effect of refusing to accept the amendment which he proposed?

The Corporation would simply go and borrow the money. By the 129th clause of the Municipal Corporations Act they could raise the money immediately; but it would be great folly on their part to do so, inasmuch as they had £10,000 in hand unappropriated—money which was idle and which they could not touch. Therefore they had asked the Assembly to allow them to spend £7,000 out of that money in the way proposed. He could not conceive what advantage would be gained by refusing his amendment. The result would only be to complicate matters, and bring this Chamber into collision with the House, and perhaps the latter would ask for a Conference, in which case he was quite satisfied that the Council would give way when it came to have the thing explained. The Bill had been considerably amended in the Council, and with some of the amendments he quite agreed. It was right that whatever balance might be left should go towards drainage purposes rather than towards the improvement of the streets. That was a very proper amendment of the original Bill; but the Council ought to stop there, and he believed that, with the amendment he proposed, the Corporation would be perfectly satisfied. They would have to find money somewhere else for the improvement of the streets, and would have to keep these moneys in reserve for drainage purposes. During a former discussion it had been thrown in the teeth of the Corporation that the city was very badly drained; but the Council must have observed, from late discussions that had taken place on the subject, and by Mr. Napier Bell's report, that great difficulties stood in the way of a proper drainage system. The Corporation were at first going recklessly to work, and they got Mr. Climie's scheme, and proposed to carry it out, until one sensible man in the City Council suggested that, before doing so, they should have the best professional advice available in the colony. Consequently they procured the services of Mr. Bell, an engineer of first-rate abilities, and he had condemned Mr. Climie's scheme *in toto*. Therefore the Corporation could not be blamed if there had been delay in carrying out drainage works. It was a fortunate thing for the city that the Corporation took the precaution which it did, instead of going into the scheme that was at first proposed, and probably, after expending an enormous sum of money, finding that the works would be a failure. Anyone who would read Mr. Bell's report would see that there was no disgrace attachable to the City Council. He (Mr. Pharazyn) had always been most anxious that there should be some good scheme of drainage. He would like to know, if a Committee of the Council were to sit to consider a scheme of drainage, would it be able, without professional assistance, to devise a system? There had already been £50,000 appropriated for drainage, of which £6,000 had been spent, he believed, with very little result. But things might have been a great deal worse. They might have gone into the scheme recklessly. One gentleman in the City Council, with some professional knowledge, was a great advocate for going headlong into it, but was stopped by the common

sense of other Councillors. He trusted the Council would see the reasonableness of the proposal he made. He would not on any account mislead them. He had talked over the subject with some of the City Councillors, and had thought over it, and had arrived at the conclusion that it was absolutely necessary that new offices should be erected. It was monstrous to suppose that the Corporation could carry on their business, having four departments in separate offices as at present, without loss of time and great public inconvenience. He trusted, for the reasons he had stated, the Council would agree to the amendment proposed.

The Hon. Colonel BRETT failed to see anything in the arguments which had been adduced by his honorable friend in support of his proposal. He would oppose the amendment, and would, if necessary, call for a division upon it. The honorable gentleman stated a few days ago that this was a downright swindle, and he (Colonel Brett) indorsed those words.

The Hon. Mr. PHARAZYN explained that all he said on the occasion referred to was that, if the Loan Bill was for £250,000, then it was a swindle; but after it turned out that he was mistaken he apologized.

The Hon. Colonel BRETT said he offered no apology to the Council for saying that this Bill was a downright swindle, and the honorable gentleman had in no manner explained that it was not a swindle, as he hoped the honorable member would have done. The arguments which the honorable gentleman had adduced were very fallacious. What was the Bill for? Its object was nothing more nor less than to misappropriate a sum of £10,000, which was specially appropriated for a particular purpose. The whole matter lay in a nutshell. Some years ago a sum of £200,000 was raised on loan under an Act of the Assembly. Well, what had the Corporation done with that sum? £50,000 of that money was to be expended on drainage, and there was still £10,000 unappropriated, of which sum the City Council now desired £7,000 for the purpose of building new offices. The £10,000 should undoubtedly be devoted to the purpose of draining the city, which at every corner had a cesspool; yet the Corporation proposed to spend £7,000 of this sum in the erection of public buildings, and £3,000 in the formation of streets. That was a misappropriation of money, and he raised his voice against it. Let honorable members look at the disgraceful state of the Town of Wellington. They could not turn the corner of any street without being disgusted with stinks; and, were it not for the tempestuous weather which occasionally occurred, he believed the whole of the inhabitants would be swept away from the face of the earth. That was the only thing that saved the inhabitants. They ought to feel a deep interest in the welfare of this city. It could be made a splendid city; but it was not, owing to the apathy and negligence of the municipal body. That was the cause of the extreme unhealthiness of the city. The blood of members of the Council had been poisoned by this want of proper sewerage. Look at the construction of the city.

*Hon. Mr. Pharazyn*

Let any member go to the top of the Terrace and look at the imposition. All the front was gingerbread, and all the rear a mass of filth and dirt. If they walked up and down the pathways they would see there was no drainage. The water flowed over the footpaths instead of being carried off by pipes. If they went up the road in front of the buildings they would see that the work of laying down the gas-pipes was grossly carried out. It was done in a most unworkmanlike manner, and horses could scarcely pass without being liable to break their knees. Now, forsooth, they wanted money to build a town hall. They were not entitled to a town hall. Let them make the streets first, and keep them clean. He would move, That the Bill be read a third time that day six months.

The Hon. Sir F. DILLON BELL did not think it was at all necessary for them to travel outside the propositions the Hon. Mr. Pharazyn had made, which he thought they were doing when they discussed the question whether the Corporation of the City of Wellington had or had not done its duty to the public in making the streets. Nothing which the honorable gentleman had said shook his view of the course which the Council ought to take in the matter. They must carry their recollection back to what the actual fact of the case was. The Wellington Corporation were not authorized to borrow £200,000. They were only authorized to borrow so much of the sum of £200,000 as was necessary to enable certain things to be done, and to provide a certain amount for the drainage of the city. Having borrowed more money than they were entitled under the law to borrow, they now came to the Legislature and said, "First give us legislative sanction for what we have done in borrowing more money than we were authorized to borrow, and then allow us to apply the extra sum to entirely new objects." Now, it was against that that he considered the Council were justified in taking their stand the other day, and it was on that account he was, with all possible regret, unable to accede to the appeal of the Hon. Mr. Pharazyn for the reconsideration of the clause. Nothing the honorable gentleman had said had gone at all to the root of that part of the matter. It was quite true, everybody admitted, that it was hard the Corporation should have to pay their present rents instead of paying interest for a town-hall site; but then the Corporation ought to have thought of that before they came to the Legislature and asked leave to borrow a specific sum, and before they entered into contracts, without legislative authority, to spend money which the Parliament had not placed at their disposal at all. The Municipal Corporation Act of last year, to which the honorable gentleman had referred, was the very thing to which the Corporation ought to have resorted to raise money to build offices. The City Council should have submitted the question to the ratepayers as to whether the money should be borrowed for the purpose.

The Hon. Colonel Brett's amendment by leave withdrawn.

Question put, "That the Bill be recommitted;"

upon which a division was called for, with the following result :—

Ayes	...	...	...	9
Noes	...	...	...	11
Majority against ...				2

#### AYES.

Captain Baillie,	Mr. Lahmann,
Mr. Edwards,	Mr. Pharazyn,
Captain Fraser,	Mr. Russell,
Mr. Hart,	Colonel Whitmore.
Mr. G. B. Johnson,	

#### NOES.

Sir F. Dillon Bell,	Mr. Miller,
Colonel Brett,	Mr. Paterson,
Mr. Chamberlin,	Dr. Pollen.
Mr. Holmes,	Major Richmond, C.B.,
Lieut.-Colonel Kenny,	Mr. Williamson.
Mr. Menzies,	

The motion for the recommittal of the Bill was consequently negatived, and the Bill was read a third time.

#### T. THOMSON.

The adjourned debate was resumed upon the question, That this Council doth concur in the report of the Public Petitions Committee on the petition of Thomas Thomson, and that a copy of this resolution be forwarded to the Government.

The Hon. Colonel WHITMORE said that on a previous occasion he had asked that this motion should be adjourned, so that the Government might be in a position to say what course they would take with respect to it. The Government would give careful attention to the resolution if passed by the Council, but he would not pledge himself that it would be carried out. The Government would promise, however, to give full consideration to the matter.

The Hon. Mr. HOLMES rose to support the motion. He thought Captain Thomson was one of the best servants in the employ of the Government in the District of Southland. For the last fifteen years he had been most attentive to his duties. He was most popular amongst the settlers in the district, as well as captains of vessels frequenting the Bluff Harbour. His transfer from the employment of the Provincial Government to the Harbour Board was a calamity so far as Captain Thomson was concerned, because if he had remained in his former position he would have been entitled to a pension; or, if he had been treated as other persons in a similar situation were, he would have received an allowance instead of a pension. He could not see why a different measure of justice should be meted out to Captain Thomson at the Bluff and to Captain Thomson at Port Chalmers. The latter was certainly the superior officer, but the other was an equally efficient man, and no fault was ever found with him. Had the Provincial Government continued in existence, then, with continued service, Captain Thomson would undoubtedly have been entitled to a pension. He understood that Captain Thomson at Port Chalmers had got something like £600 as compensation for the

loss of his position under the Provincial Government, and, if he was entitled to such a sum, Captain Thomson at the Bluff was entitled to a sum in proportion to his service. The colony should not allow any injustice to be done in such cases, and the mere fact of a change in the form of government should not prejudice the claims of worthy public servants. He knew from personal observation that Captain Thomson had done signal service to the country. Besides, he was far above the ordinary class of men in similar positions. He was exceedingly ingenious, and had invented several instruments in connection with navigation, among which were a patent anchor, and a gauge for measuring the rise and fall of the tide, which was one of the simplest, most efficient, and most ingenious instruments he had ever seen. Considering the character of Captain Thomson, and the services he had rendered to the State, he thought that gentleman ought not to be placed in a worse position than others in similar situations. He had therefore much pleasure in supporting the resolution.

The Hon. Mr. MILLER looked on this as a matter which concerned the Government more than individual members. He had no doubt a great many applications of the same kind would be made; and probably this particular case would be quoted as a precedent to some extent. Probably the Hon. Dr. Pollen could give them a great deal of information upon this matter. To his own knowledge, there was another application from an officer holding a similar position in the Province of Otago, and who was in almost exactly a similar way transferred to another body. He made an application for compensation, but he thought it was refused by the late Government. He had no wish to offer objections to the claim which had been advanced in this instance, but at the same time he wished to say that it was by no means a singular case. Upon the mode in which this question was determined would depend many others.

The Hon. Dr. POLLEN said the facts of this particular case had gone out of his recollection. Speaking without book, so to say, he understood the position to be this: Captain Thomson was employed under the Provincial Government as Harbourmaster at the Bluff. His services had since been transferred to the Harbour Board, and he claimed that he should receive compensation as an officer deprived of service under the Provincial Government, and that he should still be employed by the Harbour Board. Now, he thought this was a question upon which the Council should not commit itself to any expression of opinion. The Abolition Act made provision for officers who were by the change of the system of government deprived of their employment. But in this particular instance the officer had not been deprived of his employment, inasmuch as he still continued in the same position, the difference being only that his masters were changed. In all other respects he was still a public servant, and still held the office which he held under the Provincial Government. He did not know what particular claims this officer could have, or what injury had been done to him individually and

personally by the change of service. He did not know what rights he would have under the Provincial Government to be considered as a Civil Servant. He (Dr. Pollen) believed he would have none at all; and, unless there were legislation of a local character, altogether independent of the provisions of the Abolition of Provinces Act, certainly his claim for special consideration could not be recognized more than the claims of a great many other officers of the Government. A similar transfer had been made in respect to the Harbourmaster at Otago Heads. It was within his own knowledge that a gentleman in Auckland, who filled the office of Chief Clerk in the Superintendent's Office, was transferred from that office and made Secretary to the Board of Education. He suffered no diminution of pay by the change, and it was held, under those circumstances, that he had no claim for compensation; and compensation was refused to him. There were many other instances, no doubt, of the same kind, and, if this were to be taken as a precedent, it would open the door for a large number of claims which would undoubtedly be preferred. It was a question which he thought ought properly to be left to the Government itself, and he did not think it would be well for the Council to express any decided opinion either way.

The Hon. Mr. MENZIES said the adoption of the resolution would amount simply to a recognition of the services of Captain Thomson, and would not in any way tie down the Legislature or the Government to deal with the case as the petitioner desired. The case of Captain Thomson, supposing the Government should favourably consider it, would not prove a first precedent, for precedents had already been formed, and the fact that a precedent already existed in the particular branch of the service to which Captain Thomson belonged no doubt encouraged him to bring forward this application to the Legislature. The facts which were elicited during the inquiry by the Petitions Committee had rather escaped his recollection, but he knew of similar cases. Notably there was the case of the Harbourmaster at Port Chalmers, who had received such compensation as Captain Thomson here asked for. If there were equitable claims on the part of those who had served in the various departments of the Government in former days, he thought they ought to receive consideration; and, with respect to this gentleman, he could say there were special claims which ought to receive consideration. Captain Thomson was appointed Harbourmaster at the Bluff about sixteen years ago by the Government of Southland. Just before he was appointed a series of unfortunate accidents happened in and near the harbour. Vessels ran ashore, got burnt, and were cast away. Just at that time, when the Bluff became the port of import for the gold fields at Lake Wakatipu, a great rush of vessels came over, and many of them, no doubt, were sent to leave their bones there. Many of them, doubtless, were sent there—as was usual at the port of a new gold field—to get the benefit of the insurance. Many honorable members might recollect that just at that time the Bluff

bore a very bad reputation, owing to the number of accidents which had occurred. Then Captain Thomson was appointed, and in a very short time his evident ability gave such confidence to shippers that in a few months the credit of the port rose greatly—one hundred per cent., he thought. Since Captain Thomson had been appointed very few accidents indeed had taken place. One or two had occurred. For instance, the steamer "Scotia," belonging to the Albion Company, ran ashore at Captain Thomson's light station, steering directly for the lantern on his look-out place, the bowsprit very nearly knocking the look-out man off his perch. Captain Thomson had been transferred from one body to another. If mere transference from one authority to another upset the claim of a public officer, Captain Thomson had very little claim; for, first of all, he was in the service of the Southland Government, was then transferred to the Provincial Government of Otago, then to the General Government, and, finally, to the Bluff Harbour Board. But, the nature of his services being still the same under all those various authorities, he should be considered to have been continuously a public servant, and, as such, entitled to consideration. Certainly he was quite as much entitled to consideration as any other harbourmaster who had received consideration. He could indorse every word the Hon. Mr. Holmes had said with reference to Captain Thomson, who was really a man of genius, for the names of his inventions in nautical matters were legion. He had invented a boat-lowering apparatus which was not at all unlikely to supersede all other patents previously designed, and which had received acceptance at the hands of the Marine Board at Melbourne; and he had also invented a patent rowlock, and various other things which he (Mr. Menzies) could not at present remember. He trusted the Council would agree to the recommendation of the Committee, which did not propose anything more than due recognition of the services of this officer.

The Hon. Mr. PATERSON said the Hon. Dr. Pollen, in concluding his remarks on this question, stated that he considered it was one which ought to be left to the discretion of the Government. Now, as he understood the question before the Council, that was exactly what was proposed to be done. The Committee recommended that the petition should be sent to the Government for reconsideration. The object of the present motion was to carry out that recommendation, leaving the matter to the consideration of the Government, and not at all to dictate to them what they should do. There were some peculiarities in the case which he thought called for special attention on the part of the Council and the Government, and notably its similarity to the case of the Harbourmaster at Port Chalmers. It seemed that the latter officer had recently been transferred to a local Harbour Board, as in the case of Captain Thomson, and that he had received consideration for such change. These two cases were so similar in their leading features as naturally to suggest that they ought to have been treated alike; and he had no

*Hon. Dr. Pollen*

doubt that when they were thus compared the Government would see the propriety of giving effect to the recommendation of the Petitions Committee.

The Hon. Colonel KENNY said that, considering what had been said with reference to this case, and also that other similar cases had been dealt with in a manner satisfactory to the petitioners, he would suggest the following addition to the motion: "with a suggestion that this and similar cases be dealt with upon a liberal and uniform principle."

Amendment agreed to, and motion as amended carried.

#### OAMARU RESERVES BILL.

The Hon. Mr. MILLER, in moving that this Bill be committed, said it was rather an unfortunate coincidence that the members of the Waste Lands Committee, who had reported unfavourably upon the Bill, were gentlemen who had, almost to a man, opposed the second reading of the Bill, which had sufficiently commended itself to the Council to be read a second time on a majority of 16 to 8. The report of the Committee stated that no sufficient reason had been shown why the Crown should give up any of the remaining part of Block 95. With all deference to the Committee, he thought that very sufficient reason indeed had been shown, and in that respect the Committee had not taken all the evidence which he was in hopes they would have taken. Mr. Donald Reid, who was really the gentleman who negotiated this agreement, was never called by the Committee; and it struck him as a very remarkable thing that the Committee should have abstained from calling that gentleman, because it was well known that he could have given most important evidence, and evidence that, as far as he (Mr. Miller) knew, would have been favourable to the Bill. The Committee said it was desirable that the General Government should retain the remainder of Block 95, but they did not explain why it was desirable. The General Government had plenty of ground in the Town of Oamaru. They had the Post Office Reserve, on which the Post Office was built, and which contained nearly 1½ acres of land; they had the Customhouse Reserve; they had a piece of ground next the railway station of some 5½ acres; they had a large piece of ground containing more than 5½ acres in the Immigration Reserve; and what more did they want? What did the General Government want so much land for in Oamaru, and why did they require this vacant space, which was so much needed by the public for business purposes? It appeared to him that it was altogether beside the mark to claim for the General Government such large reserves when there was ample ground for them to build all their public establishments on. If the Government had a Court-house, a Customhouse, a post office, a telegraph office, and a gaol, they would not require many other public buildings. It should be remembered that the Government were not going to pay any of the rates in the Town of Oamaru, nor were they going to assist the people in constructing such sewerage works as would soon become necessary

in Oamaru, or to contribute anything, so far as he knew, towards the cost of the waterworks which were being constructed. All those circumstances ought to be considered, and he hoped that the Council would take the same view that it did when it allowed the Bill to be read a second time. The report of the Waste Lands Committee claimed more than was really required by the General Government. When a number of people met, as they had lately done in the Town of Oamaru, and expressed their views in the way that meeting had done, their wishes should be attended to. At a public meeting held at Oamaru, at which 700 people were present, the following resolution was agreed to:—

"That in the opinion of this meeting the existence in the centre of Thames Street of a break in the building line of over 400 feet, caused by the large vacant space adjoining the Lock-up, is greatly detrimental to the appearance of the town, while also it is a direct loss to the municipality, as the ground would let readily for building sites at a good annual rental; and this meeting is further of opinion that it is absurd that ground so valuable should be used merely as a police paddock, inasmuch as practically for the sake of grazing one or two troop horses a possible revenue of several hundreds a year is sacrificed.

"That this meeting considers that the land in question should fairly be the property of the municipality, provided that a site is secured to the Government for public buildings and for a county gaol in an eligible situation. That it is desirable that when a county gaol is erected it should not be placed in so prominent a position as the present Lock-up, and that the site proposed by the Oamaru Reserves Bill, now under the consideration of the honorable the Legislative Council, is admirably adapted for the purpose, being of ample area, convenient access, and near to the Corporation quarries, which would afford the means of profitable employment of hard-labour prisoners."

There were other resolutions passed, with which he would not trouble the Council. There was no doubt whatever that the somewhat coloured view which the Hon. Mr. Holmes had given of this Bill was not the proper view to take. It was not a question of mere bargain. It was never intended by those who conducted the negotiations on the part of the late Government, of which his honorable friend Dr. Pollen was so distinguished a member, that it should be a matter of bargain. The fact was that the land in question was originally reserved for sites for public buildings. Those public buildings would be much better placed elsewhere, and the Bill provided ample ground on which they could be erected. Therefore he did not think the Committee were justified in saying that it was desirable to retain this land for General Government purposes. If there were any real sanitary objections to this land being built upon, he would be the very last to recommend the Council to pass the Bill; but no such objections existed. There was a wide street on each side of these reserves, such street being two chains in width. The vacant space was in the heart of the town, and

was very much required for business purposes, and it was occupied by the General Government for the purpose of feeding two or three police horses. Under these circumstances, he thought the Council might adhere to the view it took in the first instance, and allow the Bill to be committed. It had the approval of the public, it had the approval of the Municipal Council, it had the approval of the late Government, it had the approval of the House of Representatives, it most certainly had his approval, and it had the approval of the Council by a majority of 16 to 8. Such being the case, he thought the Bill should be committed, and such alterations made in it as might be found desirable. The municipal authorities would have no objection whatever to pay down a sum of money at once, on the understanding that the Government would expend it on such public buildings as they thought necessary in the Town of Oamaru. That would obviate any difficulty as to the non-payment of this money. When the Municipality was engaged in so many of those costly enterprises which belonged to every Municipality in a new town, the greatest consideration was due to them. Moreover, from what he might call an aesthetic point of view, he was anxious to see the Bill pass, because he desired to see the street become—what he was certain it would be—one of the most beautiful streets in the colony; and he was very much astonished to find that a gentleman with such a large appreciation of the beautiful as they all knew his honorable friend Sir F. Dillon Bell possessed, should have agreed to a report like that which had been submitted. He thought he had said quite enough to show that this Bill ought to be committed and passed.

The Hon. Sir F. DILLON BELL very much regretted that it should fall to his duty to move that the Bill be committed that day three months. He could not allow the address which had just been made to the Council to pass without stating that, so far as he and those who agreed with him in the Waste Lands Committee were concerned, nothing which the honorable gentleman had said could shake their view at all. When this Bill came on for second reading his honorable friend Mr. Holmes brought down some very serious arguments against it, and to some members of the Council it had appeared that the Bill was a preposterous one. But it was allowed to be read a second time because it was felt that it would receive full investigation before the Waste Lands Committee. Therefore, when the Hon. Mr. Miller took credit to the Bill for the majority with which it passed the second reading, it should be remembered that it would not have received anything like that majority if it had not been for the feeling on the part of honorable members that the allegations of the Hon. Mr. Holmes, which were new to several of them, would receive a fair sifting by the Committee, which allegations were to the effect that the Municipality had an enormous quantity of land already, and could not reasonably apply to the Legislature for more. The promoter of the Bill in the other House appeared before the Committee, and, in answer to ques-

tions, urged that the land proposed to be given up under the Bill was to be given up by the Corporation as a consideration for the General Government land which it was proposed to take. The Committee immediately proceeded to examine what the sections were. They found that the Bill dealt with a section called No. 5, in a particular block; four other sections, called 6, 7, 8, and 9 respectively, in the same block; No. 27, in the same block; and the remaining portion of a reserve known as No. 95. The Committee found that section 5 was proposed to be vested by the Bill in the Crown, whereas the land undoubtedly already belonged to the Crown: in respect to that, therefore, the great consideration proposed to be given by the Oamaru Corporation was nothing. They then found that section 27, which the Bill proposed to vest in the Corporation, already vested in that body; and therefore the consideration that was proposed to be given in respect to that section was also nothing. But when they came to investigate what the Corporation proposed with respect to sections 6, 7, 8, and 9, they found that all these sections, constituting an acre of ground, had been duly dedicated, in a lawful way, for a market; and they found that the Bill proposed to take two of these sections from the public and hand them over to the Crown to do what it liked with, and to take the other two and hand them over to the Corporation to do what they liked with. That was the "consideration" which the Corporation at Oamaru offered to the Crown for getting these Government reserves. The honorable member (Mr. Miller) spoke about there being large quantities of land belonging to the General Government and at its disposal in the Town of Oamaru. No evidence of that was afforded before the Committee. On the contrary, when they came to inquire into the actual position of Block 95, which the Bill proposed to deal with, they found that the whole of that block, with the exception of the piece of land which the Corporation now wanted to take, had already been dedicated by Act to recreation and other purposes; and they found, therefore, that, with the exception of the site of the Post Office, the site of the Telegraph Office, and other sites which had been granted for an Athenæum and other purposes, the General Government had no land in Oamaru suitable for their own objects. There was a piece of land, known as the Esplanade, part of which, properly speaking, might still be considered to belong to the General Government; but, with the exception of what was used for the purposes of a railway station, it was given away to the Harbour Board. Everybody acquainted with that part of the country knew that the railway accommodation was insufficient, and if the whole reserve had been devoted to that purpose it would not be too much. The Hon. Mr. Miller spoke about a few horses being depastured upon the piece of ground which the Corporation proposed to take from the Crown, but the fact of a few horses being depastured upon it now had nothing to do with the question. They knew that at the present moment the population of Oamaru was not more than 6,000, but

*Hon. Mr. Miller*

they also knew that it would soon be a very large town, and become the depot for an area of fine country extending over about 200,000 acres, and including the southern part of Canterbury. Ever since he had been in this country he had fought as strongly as he could to prevent open spaces in towns from being blocked up by buildings. In many of the towns that were growing up and becoming populous, the Corporations were taking every bit of open ground they could get. In another Bill—the Dunedin Town Hall Site Bill—he had been the means of stopping the taking away of a market reserve, and preventing the Corporation of Dunedin from getting hold of it; and with respect to that matter he ought to take the opportunity of saying that Mr. Stout, the promoter of the Bill in the other House, had acted with fairness and justice before the Waste Lands Committee. There was also another Bill, the Dunedin Reserves Bill, where exactly the same thing was proposed to be done—where land duly laid apart for recreation purposes was proposed to be taken and handed over to the Corporation of Dunedin. The Corporation of Oamaru was richly endowed—next to Dunedin it was the most wealthily endowed Municipality in New Zealand—and if it wanted land it could well afford to buy it. He hoped the Council would have some regard to the future of the towns, and not allow the few remaining open spaces to be handed over to Corporations. If they gave way to Oamaru in this matter, as certainly as the sun shone in the sky that Corporation would come up by-and-by with another Bill, doing exactly what the Corporation of Dunedin was trying to do—namely, taking the recreation reserve which adjoined this piece of ground, for the purpose of building upon it. They would come up session after session until they got hold of this piece of land, merely for the sake of adding to their revenue, and preventing the making of rates. He wished to speak with admiration of the manner in which the Corporation of Oamaru and the townspeople had acted in the matter of public works; every one would concede that they had been spirited and generous in regard to the wants of the inhabitants; but in this case they were proposing to take away the only remaining good piece of land which belonged to the Government in the centre of the town, and take away from the public their Market Reserve, without giving anything whatever in exchange. As to the proposal to spend £5,000 in building the gaol, he hoped the time had not come when the Colony of New Zealand would have to go to a Corporation to provide money for such an object; besides, in all probability this expenditure of money for a gaol would never be required at all. The administration of justice went in the direction that long-sentenced prisoners tried at Oamaru would be sent either to Lyttelton or to Dunedin, and no gaol of any size would be required at Oamaru: in fact, they ought rather to prevent the building of anything like a county gaol for long-sentenced prisoners at Oamaru. Therefore, when the Corporation said they would spend £5,000 when called upon, they were offering to do what they were never likely to be asked to

do. His honorable friend said Oamaru would give £5,000 in cash to be spent on any other buildings. He must say that if such a proposition were made between private persons it would not be considered reputable. The honorable gentleman would not suspect him of saying that in a personal or offensive manner; but the colony did not want either the money or the buildings, and what the colony ought to do was to keep its own reserve, and also keep the Market Reserve, which had been given to the district and not to the population of the town alone. Every market reserve belonged to the district which supplied the town, and the country people had an inherent right to be considered. The honorable gentleman blamed the Waste Lands Committee for not calling Mr. Reid, a member of the late Government, who had been a party to this engagement. He could not concede that the Waste Lands Committee were to blame. That Committee invited the Hon. Mr. Miller and Mr. Hislop, the promoters of the Bill in both Houses, before them. The Committee would gladly have heard Mr. Reid if those gentlemen had called him; but it was not the duty of the Waste Lands Committee to do more than examine in favour of a Bill the witnesses tendered by those who promoted it. He was sorry Mr. Reid had not been before the Committee, in order that he might have explained how it was he had entered into a treaty between the Government and the Corporation relating to the removal of Her Majesty's Gaol, when the Colonial Secretary—to whose department all those matters would ultimately come—was unaware, when the Bill was under consideration in the Council, that any such arrangement had been made at all. The Committee would have asked Mr. Reid to account for that, and to show them how it was that the Minister of Justice and the Colonial Secretary were unaware of the transaction. Even supposing it to be perfectly true with regard to what the honorable gentleman said—that no reason had been shown in debate why the General Government should keep this reserve—he would ask his honorable friend whether he really considered any reason had been shown why the Corporation should get it.

The Hon. Mr. MILLER.—Rates.

The Hon. Sir F. DILLON BELL.—To save rates? The Corporation were in a wealthy position. They had splendid municipal reserves; and if they wanted to bring in water to the town, or to secure anything for the well-being or sanitary condition of the town, he was sure they would only have to ask the Legislature in order to get authority for whatever they wanted. Moreover, under the Municipal Corporations Act of last year the Corporation had all the powers they required for such purposes; and he had yet to learn that it would be at all advisable for this Legislature to allow the Corporations of towns all over the country to get hold of the last pieces of ground left to the General Government, merely for the purpose of saving themselves from the small portion of rates which they would otherwise have to pay. He would move, That the Bill be ordered to be committed that day three months.



Amendment agreed to, and Bill ordered to be committed that day three months.

#### SLAUGHTERHOUSES BILL.

The Hon. Colonel WHITMORE, in moving the second reading of this Bill, said it was one of a class rendered necessary by the alteration made in their local institutions last year. He thought that all the alterations he had seen in this Bill since it was first introduced were decided improvements. He had, however, given notice of a small alteration in the proviso to the 7th clause. It had also been suggested to him that very likely it would be difficult to provide for slaughterhouses which were already existing at some little distance from a township, and which were claimed by both the borough and the county. New slaughterhouses in future would, of course, belong under this Bill to the borough; but it was not very clear that the existing slaughterhouses would follow that rule. All the precautions for preventing dishonesty in slaughtering cattle that were necessitated by the condition of things in this country were provided for. At the same time, there was no unreasonable interference with private convenience in slaughtering animals for domestic use. The clause by which it was rendered imperative that no new slaughterhouse should be erected within a borough, or within a distance of half-a-mile of a borough, was, he thought, a valuable sanitary precaution. However attached people might be to the particular Provincial Ordinance which ruled in the part of the country in which they happened to reside, he thought few people, on reading the general Bill here proposed, would find any valid reason for preferring any of the Ordinances proposed to be repealed. There was nothing in the Bill which was likely to grate upon local feelings or prejudices, and it would be a decided advantage to set at rest the question of slaughterhouse management, because the local Provincial Ordinances overrode the by-laws of the County Council, and for practical management the law as it stood was quite insufficient.

The Hon. Mr. MENZIES said he gathered from the remarks of the Colonial Secretary that it was not the intention that the Act should allow abattoirs to be erected within boroughs. While the 6th section of the Bill permitted them to continue if already erected, clause 8 actually authorized them to be erected in a borough. He thought the Bill in that respect would require amendment. No slaughterhouse should exist within a certain distance of a borough. One of the knotty points in connection with this question was how to verify the brands at the meat-preserving establishments. That had been felt in the South to be an extremely difficult point to settle, and he had no doubt whatever that cattle-stealing on a very considerable scale might take place, and had taken place, where there were facilities for disposing of the cattle at some of the meat-preserving establishments, seeing that, where cattle were slaughtered at the rate of fifty a day, there would be no possibility of verification after a few days had passed. Whether the Council, during the progress of the Bill

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through Committee, would be able to make some specific provision to deal with such a case he did not know. He did know that in the Provincial Council of Otago the question was under the consideration of a Committee during two successive sessions, and, beyond passing stringent regulations for recording the brands, they did not see any practicable mode of preventing the possibility of irregularities.

The Hon. Colonel BRETT thought that clause 29 of the Bill distinctly met such cases as the honorable gentleman referred to.

Bill read a second time.

The Council adjourned at five o'clock p.m.

#### HOUSE OF REPRESENTATIVES.

*Tuesday, 6th November, 1877.*

First Readings—Second Readings—Third Readings—Bill Discharged—Want of Confidence—Municipal Officers—Mrs. McManus—Timaru Board of Works—Ministers' Salaries—Marine Engineer—J. Hume—Privilege—Disqualification Bill—Taranaki County Reserves Bill—Kakanui Harbour Bill—Forest Trees Planting Bill—Strath Taieri and Clyde Railway Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

#### FIRST READINGS.

Borough of New Plymouth Endowment Bill, Public Health Bill (No. 2), Timaru Harbour Board Lands Bill, Disqualification Bill.

#### SECOND READINGS.

Lotteries Bill, Queenstown Athenæum Bill, Waikouaiti Harbour Endowment Bill, Waikouaiti Athenæum Land Bill, Agricultural and Pastoral Societies Bill.

#### THIRD READINGS.

Queenstown Athenæum Bill, Agricultural and Pastoral Societies Bill, Riverton Harbour Bill, Bluff Harbour Bill, Patea Harbour Board Bill.

#### BILL DISCHARGED.

Dunedin Reserves Bill.

#### WANT OF CONFIDENCE.

When the adjourned debate was called on the question, That this House has no confidence in the Government; and the amendment, That, as the Government have not yet declared their policy, this House declines in the meantime to entertain the question of "confidence" or "no confidence" in the Ministry,

Mr. SPEAKER called upon Mr. W. Wood, on whose motion the debate had been adjourned.

Mr. Wood not being in his place, Mr. SPEAKER inquired whether any other honorable member wished to address the House.

No honorable member appearing willing, Mr. SPEAKER said he would put the question if the House desired.

There being no movement in the House, Mr. SPEAKER then said,—I will proceed to put the question.

Accordingly Mr. SPEAKER rose and put the

question, and called for the "Ayes" and "Noes," and the voices were given both in the affirmative and negative.

Before Mr. SPEAKER declared which had it,

Mr. McLEAN rose and said,—Sir, I regret to have to speak at this moment, particularly as the honorable gentlemen on the Government benches seem very fidgety. There is in the country from which I come a weed called a nettle, and I am inclined to think some one has placed some of that weed on the seats of the honorable gentlemen, for they seem somewhat uncomfortable. A good deal has been said about the action of members on this side of the House; but we are prepared to allow our conduct to be judged by the result of the division. The Premier and I have been in Australia, and he knows that there is in that country an animal called a kangaroo-rat, which takes prodigious hops. There are some such rats on the Government side of the House; and I am afraid that, if the Government do not allow the division to take place soon, they will find some of their supporters hopping over here like kangaroo-rats. The Colonial Treasurer was kind enough a few days ago, after he made that celebrated Financial Statement, to give me a list of his figures, with which I mean to deal presently. I have no objection to the honorable gentleman telling us that he manages a large timber business in New Zealand. I have no objection to his telling us also that the name of Larnach is well known on the Stock Exchange. The honorable gentleman's uncle is known there, and I believe there is also a McLean on the list of membership, although it is not my name. I have no objection to the honorable gentleman making these statements; but when an honorable gentleman takes his position on those benches he should be very guarded in what he says about the finances of the colony. It is not so important that members on the Opposition side of the House should not be a little inaccurate in their statements, but gentlemen on the Ministerial benches should not make wild statements upon finance, or assert that the figures furnished by the late Government are incorrect, without satisfying themselves that such was the case. Upon this point I may say that the statement of my honorable colleague who lately filled the position of Colonial Treasurer is absolutely correct, notwithstanding the contrary assertions of the present Colonial Treasurer. I will show to the House a few of the misstatements made upon this matter. The honorable gentleman takes his standpoint upon the balance existing on the 30th June last, as shown by my late colleague, and he said that that was £19,895,000. I can make that agree with the late Financial Statement by taking off the one million that was borrowed from the Bank. That will make the figures exactly coincide; but the honorable gentleman, when he took those figures, did not take into account the cash in hand on 30th June last, which amounted to £980,000, or the £35,000 Defence Loan. These two sums were not deducted; neither did he take the Sinking Fund, which was cash in hand on the 30th June, and it is surely proper that that should be taken into account.

Mr. READER WOOD.—No.

Mr. McLEAN.—If the cash or bonds are there, they must be deducted from our debt. If the bonds are repurchased, I do not know why they should not be taken off the total debt.

Mr. READER WOOD.—He could not do it.

Mr. McLEAN.—Well, there is the Sinking Fund, which is invested in New Zealand securities bought up out of this £19,895,000. Is it not correct that that should be taken off? If the honorable gentleman had looked at Table A of the Financial Statement, he would there have found that the Loan Act of 1866 has mentioned in it a sum of £1,000,000. That is included in the £19,895,000. That was taken off, and the honorable gentleman has put it on again, which is quite right; but I presume that the honorable member did not know that the million therein mentioned was the same. Then he adds the £800,000 of Imperial guaranteed debentures. If he had looked into the Financial Statement of my honorable friend he would have found that also included in the £19,895,000. Then, Sir, he went on to this £300,000 that is taken from the Revenue Account and paid back to the Public Works Account, so as to balance that account on the 30th June. And then the Premier took great exception to this, and said that it was merely shifting figures from one place to another; but why did not the honorable gentleman object to this when the Public Revenues Bill was passing through the House? I should like to know, Sir, how you could make a Statement to this House if you did not take the £300,000 borrowed from one account without making an entry placing it back, so as to state the accounts exactly. What shifting of figures is there there, I should like to know? I do not see why the honorable gentleman should object to it now, when he allowed the Public Revenues Bill to go through this House authorizing it, without making the slightest objection.

Mr. SPEAKER.—I am sorry to interrupt the honorable member, but I find now that, as the "Ayes" and "Noes" have already been called for on this question, the debate is at an end, and therefore the honorable gentleman cannot speak. I had put the question and the voices had already been given when the honorable gentleman rose. There was a doubt in my mind at the time, but I was unwilling to interrupt the honorable member until I had ascertained the precise rule; but I have now referred to Standing Order 118, which will show that this debate is absolutely concluded. Standing Order No. 118 says, "No member may speak to any question after the same has been put by Mr. Speaker, and the voices having been given in the affirmative and negative thereon." Therefore the debate is concluded once the voices have been given. When the voices both in the affirmative and the negative have been given, it is quite clear that the debate is at an end. It is not necessary that the Speaker should have declared which of the voices preponderate. I shall now put the question in *extenso*.

Mr. REID.—I rise to a point of order, Sir.

The point of order to which I wish to draw your attention—

Mr. SPEAKER.—I do not think the honorable gentleman is entitled to speak. The rule I have read shows that the debate is concluded.

Mr. REID.—Might I ask—

Mr. SPEAKER.—The honorable member is out of order.

Major ATKINSON.—I should like to know—

Hon. MEMBERS.—Chair. Order.

Mr. McLEAN.—I wish to know whether—

Mr. SPEAKER.—Order. The honorable member is out of order.

Major ATKINSON.—Sir,—

Mr. SPEAKER.—The honorable gentleman is not in order.

Major ATKINSON.—Sir, you do not know what I am going to ask. What I ask is this:—

Hon. MEMBERS.—Order. Chair.

Mr. SPEAKER.—The honorable member is out of order in asking a question. The question is absolutely being put.

Major ATKINSON.—But, Sir, I rise to a point of order.

Mr. SPEAKER.—I shall proceed to put the question. If the House will not support me I shall be very sorry. I regret that I have to call the honorable gentleman to order.

Major ATKINSON.—I must sit down, Sir; but I must say—

Mr. SPEAKER.—The honorable member is out of order.

Mr. McLEAN.—Sir, might I be permitted to ask—

Mr. SPEAKER.—I must ask the honorable gentleman to sit down.

Mr. McLEAN.—Sir,—

Mr. SPEAKER.—I shall proceed to put the question.

Major ATKINSON.—Sir, I must—

Mr. REES.—Call the Sergeant-at-Arms.

Major ATKINSON.—I wish to address the Chair. I wish to ask your ruling, Sir,—

Mr. SPEAKER.—If the House does not support me, it is useless for me to endeavour to preserve order. I shall proceed to put the question despite this unseemly interruption. The original question was—

Mr. McLEAN.—Will you allow me—

Mr. SPEAKER.—The original question was, "That this House has no confidence in the Government." It has been proposed to amend that question by omitting all the words after the word "That," for the purpose of inserting these words: "as the Government have not yet declared their policy, this House declines in the meantime to entertain the question of 'confidence' or 'no confidence' in the Ministry."

Question put, "That the words proposed to be omitted stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	39
Noes	...	...	...	...	39

Mr. Reid

#### AYES.

Major Atkinson,	Mr. Ormond,
Mr. Beetham,	Mr. Reid,
Mr. Bowen,	Mr. Richardson,
Mr. Brandon,	Mr. Richmond,
Mr. Burns,	Mr. Rolleston,
Mr. Button,	Mr. Rowe,
Mr. Curtis,	Captain Russell,
Sir R. Douglas,	Mr. Seymour,
Mr. Fitzroy,	Mr. Sharp,
Mr. Fox,	Mr. Stafford,
Mr. Gibbs,	Mr. Stevens,
Mr. Harper,	Mr. Sutton,
Dr. Henry,	Mr. Tawiti,
Mr. Hunter,	Mr. Teschemaker,
Mr. Hursthouse,	Mr. Whitaker,
Mr. Kennedy,	Mr. Williams,
Mr. Lumsden,	Mr. Woolcock.
Mr. Manders,	<i>Tellers.</i>
Mr. Moorhouse,	Mr. McLean,
Mr. Murray-Aynsley,	Captain Morris.

#### NOES.

Mr. Baigent,	Mr. Nahe,
Mr. Ballance,	Mr. O'Rorke,
Mr. Barff,	Mr. Pyke,
Mr. J. E. Brown,	Mr. Rees,
Mr. Bryce,	Mr. Reynolds,
Mr. Carrington,	Mr. Seaton,
Mr. De Lautour,	Mr. Sheehan,
Mr. Dignan,	Mr. Shrimaki,
Mr. Fisher,	Mr. Stout,
Sir G. Grey,	Mr. Swanson,
Mr. Hamlin,	Mr. Taisroa,
Mr. Hislop,	Mr. Takamoana,
Mr. Hodgkinson,	Mr. Thomson,
Mr. Joyce,	Mr. Tole,
Mr. Kelly,	Mr. Wakefield,
Mr. Larnach,	Dr. Wallis,
Mr. Macandrew,	Mr. W. Wood.
Mr. Macfarlane,	<i>Tellers.</i>
Mr. Montgomery,	Mr. J. C. Brown,
Mr. Murray,	Mr. Bunny.

#### PAIRS.

For.	Against.
Mr. Cox,	Mr. Reader Wood,
Captain Kenny,	Mr. Bastinga,
Mr. Wason.	Mr. Lusk.

Mr. SPEAKER.—It becomes my duty to give my casting vote; of course I have no alternative but to give it. I give it on these grounds: I give it in order that there may be further opportunity for the House knowing its own mind. Therefore I give it with the "Noes."

Mr. STAFFORD.—I wish to ask your ruling on a question. An honorable member gave his voice with the "Ayes" when the question was first put by you, and he subsequently voted with the "Noes."

Mr. SPEAKER.—Will the honorable member give me the name?

Mr. STAFFORD.—The honorable member for Geraldine.

Mr. SPEAKER.—As a rule, I may state that the vote goes with the voice.

Mr. WAKEFIELD.—I desire to say that the question was put several times owing to the

anxiety of the honorable member for Waikouaiti and the honorable member for Egmont to prolong the discussion. It was put again and again, as you are aware, and at one of those puttings of the question I did inadvertently say "Aye" instead of "No," not exactly observing the manner in which the question was being put. When the question was finally put I gave my voice in a tone loud enough to wake the dead. There could not have been the slightest doubt on the mind of any honorable member as to which way I was going to vote. I would ask your ruling on this point: Whether it is not the final "Noes" that settles the question; because I might have changed my mind on the question during the three or four minutes that intervened.

Mr. SPEAKER.—I do not think that, under the circumstances, and with the explanation of the honorable member, I should be justified in altering the vote arrived at. The honorable member has explained that in the first instance he made a mistake, but on the final occasion of putting the question gave his voice in the direction in which he recorded his vote. I do not think I should be justified in altering the vote as it appears on the division list. The question now before the House is, "That the words proposed to be inserted be so inserted."

Major ATKINSON.—I move, as an amendment, the addition of the following words: "That this House expresses its opinion that, as the Government has not a majority, it should immediately resign."

Mr. O'ROBKE.—I rise to a point of order. The honorable gentleman having already spoken, he cannot move an amendment.

Hon. MEMBERS.—The motion has been struck out.

Major ATKINSON.—I submit that this is a new question.

Mr. STOUT.—The honorable member cannot move an amendment on his own motion.

Mr. SPEAKER.—I am of opinion that this is a new question. If the honorable gentleman had got up and proposed an amendment to the original motion the case would be different. Now there is a new question before the House. That certain words proposed to be inserted be so inserted. The honorable member wishes to modify those words, and he is at liberty to do so.

Major ATKINSON.—I will not move it. My honorable friend the member for Waikouaiti will move it.

Mr. McLEAN.—Before I proceed to move this amendment, I wish to say a few words with regard to what transpired before the division was taken. You are well aware, Sir, that there is no one in this House more ready to bow to your ruling than I am. When I got up to speak, if you had stated that the question was in that position that I could not speak, I would have sat down without saying one word, and would have felt quite satisfied. I was allowed to go on with my speech until I got into the half of it; and when I was, as it were, in the middle of the finance, and showing where the honorable gentleman had made a grievous mistake, I—

Mr. SPEAKER.—The honorable gentleman is

out of order. These remarks are not relevant to the question he is now going to move. I understood that the honorable member for Egmont got up and indicated a motion to the House, and asked my opinion. I ruled in his favour, and he then said he would place the motion in the hands of the honorable member for Waikouaiti. I presume the honorable member is now going to move that motion. The remarks he has just been making with regard to a point of order previously raised are not relevant to this question. I say this for his information and that of the House: that a great indulgence was shown in permitting the honorable member to make his speech. He was allowed to go on until I had perfectly satisfied myself, with the assistance of the Clerk of the House, that he was out of order, so that it might not appear that I had unnecessarily interrupted him, or had not granted him that indulgence which I desire to extend to every honorable member. It ought not to be made a charge against the Speaker that he had interrupted an honorable member in the course of a speech none of which he ought to have been permitted to deliver. If I had strictly done my duty I should have immediately stopped the honorable member. I did not think the honorable member would recur to the question again. If the honorable member, or any honorable member of this House, has anything to bring forward to impugn the Speaker's ruling, it is perfectly competent for him to do so at the proper time and by motion. If the honorable member is going to bring forward a new motion, it is not proper for him to speak of anything excepting what is relevant and pertinent to that motion.

Mr. McLEAN.—What position do I now stand in? I have delivered but a portion of my speech. Am I to be prevented from speaking again?

Mr. SPEAKER.—I will put it to the honorable member himself whether he has any claim to continue a speech none of which ought to have been made.

Mr. McLEAN.—I am quite satisfied with your decision, Sir. I am very sorry if I expressed too great warmth on this matter; I did feel it very keenly at the time I was stopped. I have no desire to follow up the matter any further. After such excitement, it is very difficult for an honorable member to take up the point of the speech at which he left off, and, if I begin to go over it again, I hope the House will bear with me. As I was saying at the time, in moving this amendment—

Mr. SPEAKER.—I am very sorry to get up again. I am afraid the honorable gentleman has not understood me aright. I ruled that the honorable member was quite out of order—that he had no claim to finish a speech no part of which should have been made, and that he should only refer now to what is relevant to the motion he is now going to move. The honorable member is entirely out of order in continuing a speech on the point of order previously raised, and I hope he will confine himself, after this remonstrance, to that which is pertinent to the resolution he is about to move, and of which the

House already has cognizance, and that he will not continue a speech a part of which he has already delivered.

Mr. McLEAN.—I will not continue the same speech. I do not wish to go over the language again, and burden *Hansard*. I am anxious, as far as possible, to relieve *Hansard* of reporting what I have already said, so that I shall not go back and say it over again. Therefore, in moving this amendment, I shall endeavour to speak to the question. I move the addition of these words to the motion which is now before the House: "That this House expresses its opinion that, as the Government has not a majority, it should immediately resign." This will be seen by the division that has been taken; it has been a catch division entirely. ("No.") Honorable members may say "No." They know perfectly well that there are three of our members absent, otherwise the division list would be in a different state. What is the case now, Sir? Those honorable gentlemen are obliged to you for your casting vote to keep them on their seats. Do you think for a moment that any body of men, having a proper respect for their position, could sit on those benches on the casting vote of the Speaker—"Oh!"—and with the perfect knowledge that three members of the Opposition were absent when the vote was taken? Let them test it now. Let them take the division over again on this amendment, and then they will see in what position they are, as some of the members of our party who were absent have turned up. When my honorable friend the member for Egmont moved his resolution the Premier got up and said he accepted the challenge, and declined to accept the amendment of the honorable member for Port Chalmers; but what do we see now? We find those honorable gentlemen only too glad to shelter themselves behind that amendment, although they told us they would not accept it, and would stand or fall by the result of the resolution. They have even to take the casting vote of you, Sir, to keep them in their places.

Sir G. GREY.—I rise to a point of order, Sir. Ought not the honorable member to give notice of this amendment?

Mr. SPEAKER.—No. I do not think the honorable member requires to give notice of it. He is quite in order.

Mr. McLEAN.—I do not know when I shall be allowed to proceed with my remarks. The honorable gentleman is very touchy now, but I recollect that, when he sat at this side of the House and said very bitter things of us, we never called the attention of the House to any words he used. I am sorry he cannot sit easily in his seat, and I wish honorable members on this side would put something there to enable him to sit more comfortably. Returning to what the Treasurer said, I may point out, as I have already said, that the £300,000 which was taken from the Public Works in aid of revenue was so taken to allow facilities for the payment of interest. The honorable gentleman made no objection to that when it was passing through the House in the Public Revenues Bill. I say that it was a perfectly fair

transaction—a transaction which was perfectly right and proper in itself—and when these transfers were made at the end of the financial year they were made to balance the accounts and show exactly how each account stood. Then, again, this £300,000 is already included in the £19,895,000 of debt, and the honorable member has no right to add it to that sum. And then, Sir, the honorable gentleman lets us into a little of his policy. What does he do? He puts in amongst his figures a deficit of £167,000.

Mr. WAKEFIELD.—I rise to a point of order. The honorable member is referring to a previous debate.

Mr. SPEAKER.—I think the honorable member is not out of order, so far. At the same time, I think he is rather straining the rules.

Mr. McLEAN.—I have really not spoken to this question before. I conceive we are discussing an amendment to the motion, and that I am perfectly in order in what I say, notwithstanding what the honorable member may assert.

Mr. WAKEFIELD.—I beg to say I said nothing. I merely asked your ruling, Sir.

Mr. SPEAKER.—If the honorable member will assume that I have ruled otherwise than that he is in order I cannot help it. I have said clearly that, although the House might strain the rules as I thought the honorable gentleman was doing, still I did not think he was out of order.

Mr. McLEAN.—Notwithstanding your ruling, Sir, I look upon this as a continuation of the same question, and I am endeavouring to speak upon that. How does the Treasurer propose to make up this deficit of £167,000 which he says there is in the estimated revenue? He proposes to borrow money to make it good. Is not that a part of the policy of the Government—that they are going to borrow money to make good the deficit? As far as the deficit went in our time, we showed clearly how we were to get the money in order to make good the deficit, and also to provide for education and other matters which were now thrown upon the revenue. I have heard it stated, and it has been stated in some of the newspapers in the South, that they found that what was asserted to be a surplus of £148,000 was really a deficit of £180,000, thereby mixing last year's surplus with the present year's deficiency. My honorable friend the late Colonial Treasurer showed that, if we had to pay for education and other matters out of ordinary revenue, there would be a deficit of £180,000, and he showed how he was to provide the means to make that good. The present Government say that, in order to make good the current year's deficiency, they will have to borrow £167,000. That is part of their policy which they have unwittingly let out in this very small Financial Statement of the Treasurer. I then come to another item, "Lyttelton Harbour Works, £100,000." If the honorable gentleman had only taken the trouble to look into Table A of the Financial Statement of the late Treasurer, he would have found that this also was included in the £19,895,000; and yet he adds this and other items, which are already included in our debt, to show that the actual debt of the colony is £24,162,000. To

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illustrate what the honorable gentleman states of the finances, as the colony is in debt £19,000,000 and that sum is coming due, and as he is forced to borrow an equal sum to pay it off, by his argument the colony would owe £38,000,000. Then he adds discount on the £5,000,000 loan at 6 per cent. on a 4½ per cent. loan—£300,000 on raising a loan which has not yet been raised. If he does not want any deficiency on the loan, he has only to raise the interest a little, and he will be able to float it at par, when there would be no discount. We had hoped, before these damaging statements were made, that the Inscription of Stock Bill would have passed, and that we should have been able to float these 4½ per cent. debentures at par in London. I therefore cannot see that it is fair to add £300,000 for discount on a loan which has not been raised. How can he possibly add that to the debt of New Zealand? Taking these sums I have mentioned into consideration, which have been twice taken into account by the Colonial Treasurer, it will be found that the debt of New Zealand is just what my late colleague stated it to be. Then the honorable gentleman at the head of the Government told us the other night that in calculating our deficiencies we must place amongst them the disputed claims of contractors, £170,000, which he said were proper claims, and would have to be paid.

Sir G. GREY.—No.

Mr. McLEAN.—Well, Sir, I must have misunderstood the honorable gentleman, and I shall be very glad if he will now distinctly state that it is not so. He has, however, led the country to believe that it was a proper thing to take in those claims. As far as I recollect the honorable member's words, they were to this effect: that these £170,000 of claims by contractors would have to be paid; that the one £800 claimed had to be settled in full, and consequently all the rest must be settled.

MINISTERS.—No, no.

Mr. McLEAN.—That, to my recollection, was the statement of the honorable gentleman; and, to show that I am right, I may say that I have seen it quoted in the papers. If it is not correct, the sooner it is so stated the better, and I am very glad to hear a contradiction of it now. After looking carefully into the claims as stated in the papers, I say they have no right to be recognized in any way. I find that many of those claims are at the present moment the subjects of litigation. Under those circumstances the Premier should never have made such a statement as he did. To make such a statement under the circumstances is as much as to say to every one, "Come in with your claim, and we will settle it in full." Then he says that there is a deficiency in the revenue of New Zealand. Does he know where the money comes from to construct these railways? Did it not come out of loan? Are not these claims in respect to contracts on the railways, and, if they have to be paid, should they not be paid out of loan? No doubt there is a great deal in the fact that, to a certain extent, juries will always go against a Government in deciding upon claims against it; but that is

certainly no reason why the Premier should say that these claims ought to be recognized. It is an encouraging of litigation which ought never to be given. If these claims are such that they will have to be paid, they will have to be added to the cost of the construction of those railways. That would come out of loan. It is not a matter of revenue, as railways are constructed by means of loans. Then, Sir, the honorable gentleman proposes to take a loan of £2,000,000, just the same as we did. He proposes to borrow for public works £1,200,000. That is just what we proposed. We proposed to spend the balance in freeing the £800,000 worth of guaranteed debentures, so that these might be available at any time, and the Government never reduced to a strait for want of money. The honorable member was also pleased to remark that the borrowing of a million from the banks was a pawnbroking transaction. So far as that goes, the first £500,000 was borrowed for the purpose of filling up the gaps in our railway system in the South, until which were filled up there could be no proper return from the southern railways. That was a great object to achieve. But the successful borrowing of that £500,000 had another advantage. It showed our independence. It showed the people in the London money market, who are continually decrying our securities, and declaring that we must not go there for money, that we could find that an institution which has branches in all parts of the colony, and which is quite capable of obtaining the fullest information of our affairs, was willing to lend us half a million, and even to go further than half a million if we wanted it. The transaction was a good one, and the terms equal to those obtained when the last loan was raised in London. It is the first time I ever heard of any one disputing that it was a good transaction. Then we made arrangements here with our own bank on terms still more favourable. We arranged to receive a million of money so as to carry on our public works and prevent any stoppage taking place. I am perfectly sure that the honorable gentleman, in his own mind, considers these transactions first-class transactions.

Sir G. GREY.—No.

Mr. McLEAN.—Then he is the first man in the colony I have heard throw a doubt upon it. Then the honorable gentleman read a long list from the Treasury, in which he stated that it was necessary to provide in London, by February next, £130,000, to meet demands there; and he made this statement as if he would have the House believe that the late Government made no provision to meet the liability of the colony in that direction. But he will find, on inquiry, that we did make arrangements with the Bank of New Zealand to provide for all these matters; and that, as a matter of fact, the money is now at his service in London at any moment he likes to call upon it. We never left the colony in financial straits such as that. We looked ahead, and provided money far beyond present wants, in order that there should be no stoppage in those works necessary to be carried on; but we did not adopt the plan the honorable gentleman at the

head of the Government spoke about the other night. He said that although we were in this position we need not be in want of money—we could sell plenty of land. That is different from what the honorable gentleman used to say when he sat on this side of the House. He did not suggest then to sell large blocks of land, but now he has no objection to sacrificing the public estate for the purpose of getting in money to carry on these necessary public works. I wish to impress this upon the House. He said that there was plenty of money from the sales of land, so that the country need not be afraid of wanting money.

Mr. W. WOOD.—Read in *Hansard*.

Mr. McLEAN.—I do not care for *Hansard*. My ears are very good, and I need not trouble myself to read *Hansard*. The honorable gentleman may alter his speech. I know that he has done that before to-day.

Sir G. GREY.—I rise in personal explanation. I said nothing of the kind that the honorable gentleman says I said.

Mr. McLEAN.—I have a note here of what the honorable gentleman said. I took a note at the time. He said, "We need not be afraid of want of money. There was plenty coming in from the large land sales."

Mr. REES.—Read the note you have, as it is.

Mr. McLEAN.—I do not quote it in full, but I generally take a note of what the honorable gentleman says, and that will be found to be pretty well the substance of what he said.

Mr. W. WOOD.—I rise to a point of order. An honorable member having flatly denied the remarks attributed to him by another honorable member, is not the honorable member so attributing such remarks bound to accept the denial? He might, I submit, be in order in quoting *Hansard*, but not from a memorandum of his own.

Mr. SPEAKER.—It is usual for an honorable member to accept another's denial, and I did not understand that the honorable member declined to accept the denial.

Mr. McLEAN.—No. I have the statement here in *Hansard*. The honorable member says,—  
"With regard to the assets of the colony, I need hardly say that, looking at its vast capabilities, and to the large sums now being realized from the sale of lands—which is a most natural proof of its wealth—there can be no doubt that any funds the liberality of this House may place at the disposal of the gentlemen who may for the time being be conducting the affairs of the country can very easily be obtained on fitting terms, and that any financial difficulty must be only of momentary pressure, lasting only as long as this House pleases, and no longer."

I do not know what honorable members generally think of that statement, but to me it appears that the honorable gentleman simply says this: "There is the Land Fund. We must take it." Taking that in conjunction with the statements the honorable gentleman has previously made in this House, I think it must be deemed to bear that meaning.

Sir G. GREY.—As a matter of personal explanation, I wish to say I made no such statement

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as the honorable member alleges—that I intended to sacrifice the public estate, and to sell large blocks of land, neglecting the interests of other classes. I never made such a statement.

Mr. McLEAN.—I only make reasonable deductions from what the honorable gentleman said. I think there are a great number of members—at any rate, there are on this side—who, looking at the votes the honorable gentleman has given even during this session, agree with me in the deductions I have made; and I dare say there are some on the other side. Although I am quite prepared to accept the honorable gentleman's denial, still I say I made but a reasonable deduction from his statement, which some day will be realized. The honorable gentleman pleaded for time in order that he might put the finances of the colony in a simple condition, which, he said, my late colleague, the late Colonial Treasurer, had admitted he had failed to do. I deny that my honorable friend failed or said he had failed to do that. On the contrary, if you look at the state of the finances of the colony as they were when my honorable friend the honorable member for Egmont took office and the state in which they now are, it will be seen that the reverse is the case. The finances of the colony are becoming plain; and when the old provincial accounts are wound up, which will be done in another year, the accounts of the colony will be such that any man of ordinary capacity may easily understand them. The Premier pleaded for a little time; but how was the vote which put him in office carried? By a number of our supporters being deluded by his party. They got the honorable member for the Thames to declare that he would stand out of the way and allow others to assume the reins of government. At the very first meeting after the Colonial Treasurer was intrusted with the formation of a Government, he informed those present that he had the authority of the honorable member for stating that he had no desire to stand in the way; whereupon an extreme supporter of the honorable gentleman got up and declared—

Mr. SPEAKER.—I hope the honorable gentleman will confine his remarks as much as possible to the question before the House.

Mr. McLEAN.—I am endeavouring to show that those honorable gentlemen got on to those benches in a manner which does not entitle them to the confidence of this House. What I wished to say was, that a strong supporter of the honorable gentleman got up and said that he had the honorable gentleman's authority for stating that he had every intention to take office. And what was the result? A number of gentlemen who had been deluded got up and walked out of the room, and declined to have any more to do with the meeting.

Mr. REES.—More shame for them.

Mr. McLEAN.—It was to their credit. When honorable gentlemen endeavour to obtain seats on the Ministerial benches by such unfair means, it was creditable to those gentlemen to walk out of the room. Had the honorable gentlemen who seceded from us taken up the reins of government, as I believed they would do, I would

have used my influence with my own party to leave them in power this year. I have stated that over and over again, and I would have done it; but the gentlemen now in power shall not remain on the Government benches if I can help it. If they had got there by fair constitutional means I should have offered no objection; but, looking at the manner in which they were placed on those seats, I shall feel quite justified in assisting to eject them, although I will never be connected with any party like the former Opposition, who, purely by the strength of tongue, have delayed the business of this House for months. From the beginning of the session, the plan of action of those gentlemen was to talk against time, and abuse the Bills of the late Government; but no sooner do they get on the Ministerial benches than they stand up manfully for them, and declare them to be the best-drawn Bills they ever saw. They give them their unqualified support. They have not brought down a single measure of their own. They were only too glad to accept the Bills of the late Government. And then it is said that they carried those Bills through the House so easily. That is not at all difficult of explanation. The late Government, convinced that the Bills had been framed in the interests of the country at large, loyally assisted in carrying them through; but the late Opposition, who objected to them very strongly at first, supported them warmly when the positions became reversed. The honorable gentleman at the head of the Government said that we had plundered Otago and Canterbury of their Land Fund, and said that he would be no party to such a thing. Why, Sir, every year the honorable member has advocated the seizure of the whole of the Land Fund—this very session he voted for making the whole of it colonial revenue; but when he takes his seat on the Government benches he declares that he will not be a party to plundering the Land Fund. What consistency is there in that? Why, Sir, every act of the honorable gentleman in connection with this subject has been in the same direction. Then we come to the Native question. The honorable gentleman, in one of his speeches, said, "If we were in power, do you think prisoners would be released by force, and murderers be allowed to remain at large?" I believe his colleague the Native Minister has endeavoured to settle the Oamaru difficulty, and has failed—a case near the Town of Napier where the Natives have set the Supreme Court at defiance.

Sir G. GREY.—May I ask for an explanation? I never before heard of the place the honorable gentleman describes.

Mr. McLEAN.—The name may be wrong—I do not profess to be a Maori scholar; but the honorable gentleman knows perfectly well what place I mean. It was where the Natives obstructed the execution of a Supreme Court writ. However, the Native Minister failed to settle that matter before he was a member of the Government, and I very much doubt if, were he there, he would succeed now. Then there is a case where goods were taken out of a store up in the North by some Maoris, and when they were remonstrated

with they said, "There is no law now; Sir George Grey is in power." They evidently think that as long as Sir George Grey is in power they can do as they like. Then, as to a Maori prisoner being released from a coach at Opanaki. Would the honorable gentleman have instructed the police to recapture that man at once? I am sure he would not. If he had done so he would have brought about very serious consequences. It is absurd to say that we wished to precipitate a war with the Natives. We always tried to avoid such an unfortunate result. The proper course, in our opinion, was to adopt peaceable measures, in the belief that these prisoners would eventually be given up. The honorable gentleman also referred to Winiata's case. Now, he knows perfectly well that every exertion was made by the Government to capture that man. Every step was taken that possibly could be taken, and if Winiata was not secured it was not from want of energy and a desire to see that the ends of justice were met. The Government displayed no apathy in the matter, and it was no reproach to them that Winiata was not secured. I have no doubt in my own mind that the Natives of the King country will in time give him up to justice; but I do not believe that Native difficulties will disappear so long as the honorable gentleman and his colleagues remain on those benches. My own belief is that, instead of disappearing, they will increase. Why, Sir, what is the result of the agitation created in Hawke's Bay? Petitions from the Maoris of that district, endeavouring to upset deeds that have been in existence for twenty or thirty years, are now before the Native Affairs Committee. Did they ever think of repudiating those deeds before? Certainly not. These petitioners themselves stated that thirty years ago they walked over the boundary with Sir Donald McLean, and all the land within that boundary did not belong to the Government. The honorable member for Auckland City East laughs at this, for no better reason than that I can see except, as he said himself, "The loud laugh proclaims the vacant mind." That is one case, and I say that it is a case in which the deed was only twenty-three years old, and the Natives did not dispute it until the Repudiation party was formed in Hawke's Bay. This House has been literally deluged with Maori claims ever since the Repudiation party came into existence. I should like to know when these claims are to be settled. If the Petitions Committee decide that all these claims shall be settled, I pity poor New Zealand, for if ever any country in the world has been saddled with such claims it is unfortunate New Zealand. A very large sum out of the millions which we have borrowed would be required to wipe out the claims New Zealand has been compelled to pay. Sir, the honorable member for Auckland City East has said a good deal about a dissolution. Now, Sir, I heard some honorable gentlemen who were in the previous Parliament twitting each other, and saying that they would never come back to the House; but I find that those members who talked most loudly in that respect are now missing from Parliament. Let



me tell honorable members of this House that if matters go on as they are now going on it will be very difficult to get good and proper men to come to this House at all. I regret to say that, since these discussions have been going on in this House during the last few months, I have heard good men declare that they would not come back to this House on any consideration. I should regret to see any good man put out of the House, no matter whether he agreed with me in politics or not. At elections, I have supported good men whose political views were opposite to my own simply because they were good men, and because I thought that when they came into this House they would do that which was right and good. The only fear I have is that, in case there should be a dissolution, some of the good men in the House will not seek to return. It may be that some honorable members would not be returned. We all know that in an election no man can make certain of being returned, no matter how popular he may be. A turn of the tide may take place, and any member of this House may be rejected. It is not discreditable to a man to be defeated at an election. Every man has to take his chance. I do not care to say that any honorable member on the other side of the House will not come back—I shall be very glad to see every able man returned, no matter on which side of the House he may be. The honorable member at the head of the Government has said that he wishes to see the whole colony grasped in the hand of one strong Government. Well, if I had thought that we were going in for centralization, I for one would have been a bitter opponent of Abolition. I believed in doing away with the provinces, because they were financially killing the country, because they were made machines for raising money, while the people of the colony did not know how that money was spent. My object in doing away with the provinces was that we might create counties in their place, and gradually, as they got into working order, that their powers might be increased, giving them the power of raising, by taxation, as much money as they absolutely required. If our scheme had been properly carried out we should have been decentralizing, and not centralizing. If you give the ratepayers the control of the public money the country will not be landed in debt, as it has been under the provincial system. If the counties have to raise the money they require the people in each county will keep a sharp look-out over the expenditure. I will now say a few words regarding the honorable member for Akaroa. That honorable gentleman evidently had a very good speech ready for delivery on the last vote of want of confidence which was moved. The honorable gentleman did not deliver it at that time, but he made it serve for the present motion. In fact, he turned it round to suit the present motion. It was amusing to see how well he turned the speech round into one of no confidence in the Opposition. I am afraid that I have wearied the House, but I have endeavoured to show that the present Colonial Treasurer of the colony completely misstated our finances. I state, and I pledge myself to it, that, whatever

*Mr. McLean*

the honorable gentleman may say to the contrary, the Financial Statement presented by the late Colonial Treasurer is absolutely correct. I say that while the late Government were in power they never made an appointment and they never did anything else for the purpose of buying support. In the last division even the construction of a bridge in some cases would have obtained a vote for the Government, and we could have promised such things if we had wished to remain in office.

**Mr. WAKEFIELD.**—I rise to a point of order, Sir. The honorable gentleman is maligning this House. He says that if the late Government had promised a member of this House that a bridge should be constructed in his district it could have gained a vote.

**Mr. SPEAKER.**—That is certainly not a statement that should be made.

**Mr. McLEAN.**—I do not wish to make any statement that will affect honorable members, and therefore I will withdraw what I have said. But I will make this statement: that the late Government never did anything of which they should be ashamed. They never did anything that was improper; and I dare the present Government to search in any of the offices over which the late Government had control for anything that would tell in any way against them. I say that, if the honorable gentlemen who compose the present Ministry leave those benches as clean and as clear as the late Government did, it will be creditable to them. We have been told that claims can easily be settled now, but we know that matters can be settled easily and yet wrongly, and we wish to settle matters properly when we settle them at all. I have no desire to take up the time of the House any further. I have simply to move the amendment which I have read.

**Mr. SPEAKER.**—The question is, That the words proposed to be added be so added.

**Mr. REYNOLDS.**—I do not think these words can be added to my amendment.

**Mr. O'RORKE.**—I wish to address you, Sir, on a point of order: not with the view of swaying your opinion, but in order that the House, before it embarks on another debate, should consider temperately whether we are acting consistently with our Standing Orders and with Parliamentary practice in debating the proposed amendment. Standing Order No. 100 says, "No question or amendment may be proposed which is the same in substance as any question which, during the same session, has been resolved in the affirmative or negative." This House has already resolved that it will not allow such words as these—"this House has no confidence in the Government"—to stand part of the question. The proposed amendment is for the addition of the words, "But this House expresses its opinion that, as the Government has not a majority, it should immediately resign." It appears to me that the proposition now made is exactly to reinstate the substance of the rejected words, and is in opposition to Parliamentary practice. The commentary of May on the rule which I have quoted is as follows—at page 298:—

"It is the rule, in both Houses, not to permit any question or Bill to be offered which is substantially the same as one on which their judgment has already been expressed in the current session. This is necessary in order to avoid contradictory decisions, to prevent surprises, and to afford proper opportunities for determining the several questions as they arise. If the same question could be proposed again and again, a session would have no end, or only one question could be determined; and it would be resolved first in the affirmative, and then in the negative, according to the accidents to which all voting is liable."

The author then, in describing the attempts at evading this rule, adds,—

"A mere alteration of the words of a question, without any substantial change in its object, will not be sufficient to evade this rule. On the 7th July, 1840, Mr. Speaker called attention to a motion for a Bill to relieve Dissenters from the payment of church rates, before he proposed the question from the chair. Its form and words were different from those of a previous motion, but its object was substantially the same; and the House agreed that it was irregular, and ought not to be proposed from the chair."

I contend that in this instance there is not a sufficient variance between the proposed amendment and the words that have been rejected to constitute a new question, but that they are substantially the same. I think, before the question is proposed from the chair, honorable members who entertain opinions on this subject should be allowed to express them before a final decision is given by yourself or by the House. This is a matter worthy of consideration. The adherence to our Standing Orders and to Parliamentary practice is a matter which affects the interests of both parties—the setting them at defiance can rebound to the credit of neither; and, whilst I do not conceal my opinion on the subject, I trust I have expressed it with that temperance which the gravity of the occasion requires; and I invite other honourable members to discuss the point of order apart from mere party feelings, and with a desire to uphold the rules of Parliament.

Mr. REID.—I presume I shall be in order in speaking to the point raised. This is a different question from any other question that comes before Parliament, and there are other rules that apply solely to such questions—namely, that on a motion of want of confidence an honorable member is entitled to speak, although it is against the Standing Orders, on any question that has arisen during the whole session, and during the whole administration of the Government. I think you will also find this to be the case: that a vote of no confidence in the Government may be moved and carried more than once during the same session of Parliament. In the second place, I would point out that the words proposed to be added to the amendment of the honorable member for Port Chalmers do not affect the question that has been already decided. The question already decided is a question of confidence or no confidence. The words proposed to be added affirm that the Go-

vernment have not a majority of the House; that, in fact, they are in a minority. I am speaking of the language of the resolution, and not of its meaning. There is a wide distinction between the amendment which has been before the House—that we are not to deal with this no-confidence question until the Government have declared their policy—there is a great distinction between that and affirming that the Government, not having a majority, should not continue to sit on those benches. I appeal to the good sense of every honorable member whether the Government, not having a majority, should not consider it their duty to resign at once. It is entirely against the practice of Parliament not to do so.

Mr. REES.—No.

Mr. REID.—It is impossible that the business of Parliament can be carried on, the Government not having a majority. If that is so, and I think it is so—notwithstanding that the honorable member for Auckland City East laughs—it is clearly desirable that the fact should be known. In my view, the motion just proposed does not conflict with the question that has already been dealt with by the House.

Mr. WAKEFIELD.—The honorable member has made a broad assertion. He takes it for granted that the Government have not a majority. The late division shows that they have a majority. The same state of affairs will again occur, and they will again have a majority. I say that the honorable gentleman, in moving this amendment, is begging the whole question. He moves that the Government, not having a majority, should resign; whereas the fact is they have a majority. They have a majority with your casting vote. Last year the Government had only your casting vote, and yet they remained in office the whole session; they were kept in by your casting vote.

Major ATKINSON.—No.

Mr. WAKEFIELD.—They say "No." What nonsense! Am I to be called upon to go and bring the volume of *Hansard* to prove that a direct vote, which was accepted by the Ministry as a vote of want of confidence, was only carried by your casting vote, and that they remained in office? I am not going to take the trouble. The fact is that this is so.

Hon. MEMBERS.—No.

Mr. WAKEFIELD.—I have made a distinct statement, and honorable members continue to deny its accuracy. The statement I have made is a statement of fact, and I ask your ruling, Sir, whether it is possible for honorable members to speak on a point of order when they have the lie direct given to them.

Mr. SPEAKER.—The rule is very obvious, and it is known to honorable members—namely, that when an honorable member makes a distinct statement it is wrong on the part of honorable members not to accept it.

Mr. WAKEFIELD.—Thank you, Sir: that is a true ruling, no doubt. Last year the Ministry only lived by your casting vote, and yet they remained in office all the session.

Mr. SPEAKER.—It is desirable that honorable members should confine themselves to arguing the point of order raised.

Mr. WAKEFIELD.—I am following the honorable member for Taieri, who has especially referred to the point that the present Ministry are not in a majority. I think you will allow me to refer to that.

Mr. REID.—I said that they had not a majority.

Mr. WAKEFIELD.—It is put in this motion as a fact, and I say it is not a fact. The motion is wrong as at present framed. That is the point of order which has been raised. I do not think the honorable gentleman has any right to put the motion. I do not think the Government would much mind its being debated; but it states as a matter of fact that which is not a matter of fact. It purports that the Government have not a majority, whereas the fact of their existence proves that they are in the majority.

Mr. STOUT.—Speaking to a point of order only, I say that the proposed amendment is inadmissible on two grounds. The first of these has been mentioned by the honorable member for Onehunga—namely, that this motion would contest the very point upon which a decision has already been given. The other objection is that this proposed amendment is contradictory in its terms to what precedes. You have on all occasions ruled that one cannot add words to an amendment which would make the previous part contradictory in its terms. That is the effect this motion would have. On the first ground I could give you several examples in which it has been held that the rule cannot be evaded in the way the honorable member for the Taieri points out. I quote from May, sixth edition, page 285, where this occurs: "A mere alteration of the words of a question without any substantial change in its object will not be sufficient to evade this rule." Then he goes on to give two specific examples. The first example is,—

"On the 7th July, 1840, Mr. Speaker called attention to a motion for a Bill to relieve Dissenters from the payment of church rates, before he proposed the question from the chair. Its form and words were different from those of a previous motion, but its object was substantially the same; and the House agreed that it was irregular, and ought not to be proposed from the chair."

Then there is still another example given:—

"On the 15th of May, 1860, the order for the second reading of the Charity Trustees Bill was withdrawn, as it was discovered to be substantially the same as the Endowed Schools Bill, which the House had already put off for six months."

Then there is also a special example given as to the appointment of a member of the House a member of a Committee:—

"On 18th July an amendment was proposed to a question by leaving out all the words after 'That,' in order to add 'Thomas Slingsby Duncombe, Esq., be added to the Committee of Secrecy on the Post Office;' but Mr. Speaker stated that on the 2nd July a motion had been made 'That Mr. Duncombe be one other member of the said Committee,' that the question had been negatived, and that he considered it was 'contrary to the usage and practice of the

*Mr. Speaker*

House that a question which had passed in the negative should be again proposed in the same session.' The amendment was consequently withdrawn."

I have shown that the alteration of words or the alteration of form will not matter if the substance is the same; and I submit, therefore, that, as the amendment is the same in substance as the original resolution, the amendment is out of order.

Mr. REES.—Not only are the text-books perfectly clear and distinct upon the point, but the authorities of the House of Commons are so also. The case quoted by the honorable member for Onehunga is reported in 195, Commons Journals, page 495, where it is laid down as follows:—

"A motion having been made and seconded, That leave be given to bring in a Bill to relieve Dissenters from the Established Church of England from the payment of church rates;

"Mr. Speaker called the attention of the House to the proceedings of the House on Monday, the 11th day of February last. The House was moved, That the entry in the Journal of the House of the 11th day of February last, upon a motion relative to church rates, might be read; and the same was read as followeth:

"A motion was made, and the question being put, That leave be given to bring in a Bill to relieve from the payment of church rates that portion of Her Majesty's subjects who conscientiously dissent from the rites or doctrines of the Established Church;

"(The House divided.)

"Whereupon Mr. Speaker stated to the House that, in his opinion, the motion now made was in substance the same as that upon which a question having been put had passed in the negative in this present session; and that therefore, according to the rules of the House, it was not competent for him to propose a question upon the motion now made."

Whatever may be the rule, as stated by the honorable member for the Taieri, in relation to motions of want of confidence being put more than once during a session, it does not apply to the present case, because this is a continuation of the same debate; and if the honorable gentleman can move his amendment he can go on bringing down amendment after amendment for the next six months.

Mr. REID.—There will be no room for any other amendment after this one.

Mr. REES.—Then how is there room for this one?

Mr. REID.—The matter will be finally disposed of on this amendment.

Mr. REES.—I am afraid the honorable gentleman will be beaten again, and will have to bring up another. However, I will not argue that now, but will leave my remarks until we are discussing the main question. We were told that if we only came to a vote on the amendment of the honorable member for Port Chalmers we should be beaten; but we have not been beaten, and the principle which the honorable member for the Taieri illustrates by interrupting me shows that his argument is not good, because he says that

if his side of the House is successful no further amendment will be required. It follows, then, that if they are not successful another amendment will be required. If you, Sir, rule that such motions can be put because they are in a different form of words, the next thing will be that there will be no necessity for another form of words, and we shall have the same thing repeated the moment a vote of want of confidence is lost by an honorable member getting up and giving a long disquisition upon figures which he does not understand, and then proposing another motion exactly the same as that which has been disposed of. Another case, which is quoted on the same page of May, is reported in 115, Commons Journals, page 249. The rule is clear and distinct. And here, immediately after the House has divided, and when you, Sir, gave your casting vote only half an hour or an hour ago against the resolution of the honorable member for Egmont, we are called upon to go over the very same ground again on the motion of the honorable member for Waikouaiti. I submit, therefore, with great respect to you, Sir, that it is contrary to the rules and practice of Parliament, and that not only is it good to adhere to the rules in this case, but if we get beyond them it is impossible to tell where we shall end. It will come to this: that a party which may absolutely have only a majority of one will be able to override all the rules of the House. If you have any doubt upon the subject—although I do not think it is possible that you can have—I would ask you to look into the cases which have been quoted by the honorable member for Onehunga and the honorable member for Dunedin City (Mr. Stout).

Mr. BARFF.—It appears to be a very singular line of conduct proposed by the honorable member for the Taieri when he says that, in the event of this amendment being negatived, there would be no room for any other. It occurred to me during the course of the debate that it would be possible, in the event of the amendment of the honorable member for Port Chalmers being lost, to add words to the original resolution; and, for the information of honorable members not aware of the fact, I may say that I proposed in my own mind at one time to alter the original resolution in a certain manner. I proposed to alter it into this form: "That this House has no confidence in the Government recently ejected from the Ministerial benches." That was one amendment which I had in my mind; and another would have read in this way: "That the House has no confidence in the government of the late Ministry." I was prepared with any number of authorities to show that the word "government" would meet the case entirely, and that it did not altogether apply to the gentlemen administering affairs, but to the administration of affairs generally. I submitted these proposed amendments to an honorable gentleman well qualified to give an opinion, and was advised that they would not be strictly in order, although they were both diametrically opposed to the object sought to be obtained by the original resolution. If that rule held good in my case, how much more does it hold good

in respect to the amendment endeavoured to be forced on the House, first by the honorable member for Egmont, and, failing him, by the honorable member for Waikouaiti—an amendment which was in the direction of carrying out precisely the same object which was sought to be obtained by the original resolution. The authorities quoted by the honorable member for Dunedin City (Mr. Stout) show very distinctly to my mind, and, I believe, to the minds of honorable members generally, that the amendment cannot be put from the chair, on the ground that the object sought to be attained is exactly the same as that proposed in the original resolution. As several honorable members, in speaking to the point of order, referred to other matters, and made certain statements which were not contradicted, I hope that I shall not be considered out of order if I correct what I conceive to be mistakes. It was said, in the course of this discussion on the question of order, that the Government did not remain in office last year on the casting vote of the Speaker.

Mr. SPEAKER.—The honorable member is referring to a matter which is not relevant to the question of order.

Mr. BARFF.—I was merely referring to matters which were brought out in the course of this discussion.

Mr. SPEAKER.—I think the honorable member had better not refer to those matters.

Mr. BARFF.—I should not have referred to them but that I thought it necessary to contradict statements which were made, and, as I could quote a particular case, I wished to set honorable members right. The question now resolves itself into this: There is nothing of the original resolution left but the word "That;" and we hear from an honorable member who was recently on the Government benches that nothing can be added to the amendment which is now proposed. I say that that is not the case, and that anything could be added to it but the amendment of the honorable member for Waikouaiti; but I presume, and trust that you, Sir, will give a ruling, that the amendment is not in conformity with the Standing Orders.

Major ATKINSON.—I should like to put it to you, Sir, that the proposed amendment is practically a distinct question from that which has already been disposed of, inasmuch as it is more explicit. The original resolution expressed the opinion that the House had no confidence in the Government, but it did not at all follow from that that the House meant the Government to resign. The House might have meant it, or it might not have meant it. (Oh, oh!) That is my opinion. I have no doubt as to what my object was; but I say that many honorable gentlemen might have voted for that resolution under the impression that a dissolution would take place, and the country would have to decide between the two parties. That is a fair inference. There was nothing in it to compel the Government to resign if they were prepared to go to the country, supposing circumstances favoured their taking that course. This amendment, on the other hand, directly calls upon the Govern-

ment to resign immediately, and I therefore submit that there is a considerable difference between it and the original motion. I submit, also, that it cannot be held that a vote of want of confidence cannot be proposed twice in the same session. It is quite clear that this House has and should always have a right to express its opinion upon the conduct of the Ministry who are conducting the business of the country; and the rules which the honorable member for Dunedin City (Mr. Stout) has quoted do not at all apply to a case of confidence or no confidence. I think the House would be landed in a great difficulty if a want-of-confidence motion cannot be put twice in the one session against the same Government. It might be that a Government in a minority might take an opportunity of getting one of its followers to propose a motion of want of confidence in the absence of some of the majority, and, that being negatived, it could not be put again during the whole session. I think that every facility should be given to the House to ascertain whether the Government possess a working majority or not. As a matter of fact, they do not possess a majority. And it is right that I should say that this morning an honorable gentleman, who is too ill to be in his place in the House, sent down his pair, which was refused by the other side. That, I am informed, is the case, and, had the honorable gentleman known that the pair would be refused, ill as he is he would probably have come down. It is not consistent, under such circumstances, that the Government should occupy its present position. The object of the amendment is to determine who is to conduct the business of the country, and I think it would be a dangerous precedent if we are debarred from ascertaining what is the will of the House upon the question.

Mr. MONTGOMERY.—I wish to say a few words. The one object of the late motion was to remove these gentlemen from the Government benches. There can be no doubt about that. Such was the object in the mind of the honorable gentleman who moved the motion. Then, if the words of the amendment now before the House are not precisely the same as those of the motion, the object is exactly the same. I submit that it matters not what may be the wording if the object is the same. I think the authorities quoted by the honorable member for Dunedin City are apt, and that this amendment should not be put.

Mr. SHRIMSKI.—I do not think the honorable gentleman is right when he says that the Government should resign in consequence of the vote that has been come to. The honorable gentleman should remember that last session a motion upon which the Government of which he was a member staked their existence was only negatived by the casting vote of Mr. Speaker, and yet they did not resign.

An Hon. MEMBER.—The motion was rescinded.

Mr. SHRIMSKI.—And during this session the Public Works Advances Bill, which they regarded as a party measure, was only read a second time by the casting vote of Mr. Speaker, who distinctly said he disapproved of the Bill.

*Major Atkinson*

Still the House did not ask the Government to resign.

Mr. RICHARDSON.—On the latter occasion to which the honorable gentleman refers Mr. Speaker gave his vote in the way he did in order that the House might further discuss the matter. No doubt his vote to-day was given for the same purpose, but what that could mean, except an amendment of this kind, I am at a loss to know.

Mr. WHITAKER.—Sir, I would simply call your attention to the fact that the precedent which has been mentioned, that of last session, when a motion involving the fate of the Government was only negatived by the casting vote of the Speaker, is not a precedent, because the Government announced that it would resign. Nobody knows that better than I do. The Government had made up its mind to resign, but did not, simply because the House virtually reversed its decision. I remember the Premier coming down to a meeting of his supporters and saying, "I shall resign, unless the decision of the House is reversed." A motion was therefore brought forward in the House to rescind the motion which had been passed; and *Hansard* will show, and the Minutes of Proceedings of the House will show, that the motion for rescision was agreed to, and that the Ministry remained in office. I think it is impossible to find an instance of a Government in this colony remaining in power when it could not command a majority.

Mr. STOUT.—Mr. Stafford, in 1868.

Mr. WHITAKER.—Now, as to the amendment, I contend it involves a different question altogether from that involved in the motion which has been negatived, and can be put and ought to be put by you, Sir. The matter as it at present stands is in this position: The words, "this House has no confidence in the Government," have been negatived; but I submit to you, Sir, that, although the House may have the fullest confidence in the Government, still a majority might think it proper that the Government should resign under certain circumstances. I hear the honorable member for Dunedin City (Mr. Stout) indulging in coarse laughter, but I think that if he would not laugh so loudly it would be much better. We are not to be beaten by a laugh, nor is a laugh argument. When I wish to answer an argument I get up and speak to the Chair, and do not laugh instead of arguing. I say, although the House may have confidence in the Government, still a majority might be of opinion that under the circumstances the Ministry ought to resign. The two things are perfectly distinct, and I think the amendment should be put to the House.

Mr. JOHNSTON.—I may say, speaking to the point of order, that it is quite clear the Government do not possess a majority in this House, for I was unavoidably absent when the division took place, and had I been present should have voted against them.

Mr. ROLLESTON.—I may add that this morning I brought down a pair from the honorable member for Totara, and it was refused, though he was ill and unable to come down.

Mr. STOUT.—I saw Mr. Gisborne to-day, and he was quite well.

Mr. HODGKINSON.—As a private member, awaiting your decision, I should like to say a few words, if I may express an opinion. I have a decided opinion on the matter, unless there is something in reserve of which I know nothing, because I think, if the same rules apply in these cases as we acknowledge apply in other matters coming before the House, the amendment certainly cannot be put. It is actually the same as the motion which has been rejected. If clothed in different words, it is substantially the same, and, this House having already affirmed that Ministers possess the confidence of the House, what possible reason, or what possible consistency, can there be in calling upon them to resign? If they have a majority of the House, that is tantamount to their having the confidence of the House. The argument of the honorable member for the Taieri went to show that the amendment and the motion are substantially the same. Of course, if, then, a new Ministry went into office, I could understand that a motion of want of confidence could be brought against them; but I cannot understand that a vote of want of confidence can again be brought against the same Ministry. The honorable member for Waikato attempted to prove that the motion and the amendment substantially differed, but he did not succeed in showing that there was any difference. I think the words of the amendment are, "the Ministry not having a majority in the House." Surely that is substantially the same as the motion just negatived, because if they have the confidence of the House—which the House has just declared they have—then they must have a majority. That we shall be able to see when Ministers come to carry their measures. That would be the best test as to whether the Government does or does not possess a majority. I shall vote against this amendment.

Mr. DE LAUTOUR.—There is one point, Sir, that has occurred in this debate of which I may be allowed to remind you. There is a very broad distinction between renewing a vote of want of confidence and the putting of a single vote of want of confidence on the same issue twice. That is what is being argued by honorable members on the other side of the House—that the same vote can be put twice. We all know perfectly well that the honorable member for Egmont can at once table a fresh motion of want of confidence in the Government; but he cannot take a vote twice upon the same issue.

Mr. SPEAKER.—The question has assumed a greater degree of importance on account of the large question involved in the discussion. Nevertheless, I have to interpret to the best of my ability the rules laid down in our Standing Orders, and I hope the House will not think I am rash if I now give my opinion, without taking further time for deliberation. There is, however, one point upon which I shall think it my duty to reserve my opinion, in order that I may give it at a subsequent time, after fuller consideration; but it is, I think, better to give my

opinion upon the main point, and the reasons which induce me to come to that opinion. The rule, which is a general and fundamental rule, is that a subject once disposed of cannot be brought up again. Still, attempts are constantly made to vary the language of a motion, which, though varied, is yet the same in substance. But no mere variation of language is sufficient. The House is not to be so deluded. There must be a material alteration in substance. The object must be different. If the object, the material character of the motion, is the same as that of the motion negatived, then the House would refuse to receive it. A light covering thrown over it does not deter the House from recognizing its main form. Applying that rule, I am bound to say that this amendment is identical with the motion upon which the House has already voted. Again, there is another rule to this effect: that, where a motion is proposed to be amended by an addition which revives a question already disposed of, the addition cannot be received. Now, I do think it is contrary, not only to the spirit of the Standing Orders, but to the general rule of Parliament, that such an addition as that proposed by the honorable member for Egmont should be received. The question, as proposed to be amended by the addition of certain words, is this: "That, as the Government have not yet declared their policy, this House declines in the meantime to entertain the question of 'confidence' or 'no confidence' in the Ministry." And this is the proposed addition: "But this House expresses the opinion that, as the Government has not a majority, it should immediately resign." Now, in reality, the question of "confidence" or "no confidence" is a question of resignation or no resignation. The House is called upon to declare that that question shall not be entertained, and in the same breath it is asked, in the proposed addition, to proceed to entertain it. The opinion which I give now is based upon this apparent incongruity; but, at the same time, I regard the point as one of such importance that I shall not finally decide until I resume the chair this evening. There is a good deal in the point raised by the honorable member for Avon that the House is not to be debarred by any cause—there may be a variety of circumstances—from making its mind known in regard to the fitness of the gentlemen on the Ministerial benches to occupy those positions. Then, again, the honorable member for Christchurch City (Mr. Richardson) made some very pointed remarks upon the vote I gave to-day. I may say that that vote was entirely analogous to and consonant with other votes which it has been my duty to give on other similar occasions. I acted upon the well-known rule by which Speakers are guided upon such occasions—that, wherever there is an opportunity to give further and fuller consideration, that opportunity should be given. Although these great fundamental rules are perfectly clear, yet there is no doubt whatever that every Parliament reserves to itself the right, a right which it frequently exercises, to rescind a vote. Especially I am bound to say that if, as might be inferred from some observations I

heard this afternoon, a catch-vote has been obtained, the House has always the right to rescind its decision, and that may be done without violating the general rule. Having frankly stated my opinion, I will ask the House to adjourn till half-past seven o'clock, when I will give a definite ruling upon the point raised.

Mr. SPEAKER then left the chair.

#### HOUSE RESUMED.

Mr. SPEAKER resumed the chair at half-past seven o'clock.

Mr. SPEAKER.—I promised the House, when I left the chair at half-past five o'clock, that I would give my ruling when the House resumed as to whether the words proposed by the honorable member for Egmont could be added to the amendment of the honorable member for Port Chalmers. I have already given my opinion so far as I could, but I have since given the matter full consideration. I now have to state, with regard to the applicability of the rule, that questions of the same substance and import, having once been decided, cannot be brought up again during the same session—that there can be no doubt whatever the rule applies to this case. The amendment is opposed to the original motion in words, though the substance is the same. It is repugnant to the very motion on which it is proposed to be an amendment by way of addition. I have carefully considered how far the rule to which I have referred applied universally, and what exceptions would affect the position of Ministers in this House, and the declaration of this House of its opinion in respect of them. That is a very serious matter, and the honorable member for Christchurch drew my attention particularly to the observations I made on giving my casting vote. He asked how far the ruling I gave was consistent with such a decision, and if, in reality, this rule was a bar to a second or third motion of want of confidence in the Ministry being moved during the same session. I am clearly of opinion that this rule does not apply to such a case, for this reason: that, although the form of words may not be the same—and I think it desirable always to vary the words—the substance is different, inasmuch as a Government may vary in its policy and measures during a session; and consequently a vote of want of confidence may be repeated.

Question, "That the words proposed to be inserted be there inserted," negatived.

#### MUNICIPAL OFFICERS.

Mr. SHARP asked the Government, If they will procure and lay before this House a return of the number of officers employed by the various Municipalities of the colony; the amount of salary of each officer; and the amount of travelling allowances or other expenses paid to such officers?

Sir G. GREY said the return asked for by the honorable gentleman would be ready in a few days, when it would be laid before the House.

#### MRS. McMANUS.

Mr. BURNS asked the Minister of Justice, Whether Messrs. Daldy, Isaacs, and O'Neill have

Mr. Speaker

made any reparation to Mrs. McManus for their illegal conduct towards her son, as recommended by the Public Petitions Committee in the report laid before the House on the 17th August last; and, if reparation has not yet been made, whether His Excellency the Governor will be advised to strike the names of Messrs. Daldy, Isaacs, and O'Neill off the list of Justices of the Peace for the colony, as further recommended by the Public Petitions Committee?

Mr. SHEEHAN said he had made inquiries regarding this matter, and Messrs. Daldy and Isaacs had sent telegraphic replies to the questions that were put to them. Both gentlemen justified their action. Mr. Daldy resigned his position as a Justice of the Peace, and Mr. Isaacs said he had done nothing worthy of censure. He (Mr. Sheehan) could not say whether Mr. Isaacs should be struck off the roll of Justices of the Peace or not until he had made further inquiries; but he would take into consideration the facts brought out by the Public Petitions Committee, and, if he found that the allegations made were true, he would be prepared to recommend His Excellency the Governor accordingly.

Mr. BURNS wished to know whether any reparation whatever had been made to Mrs. McManus.

Mr. SHEEHAN replied in the negative.

#### TIMARU BOARD OF WORKS.

Mr. WAKEFIELD asked the Government, (1.) If they will lay before this House copies of all correspondence relating to the purchase by the Government of the Board of Works building at Timaru? (2.) If they propose to place a sum on the Estimates to provide for the payment of the money agreed to be paid for the building six months ago? (3.) Whether they will allow interest for the time that the payment has been withheld? He wished to be allowed to make a few remarks in explanation of this question. Some time last year the Timaru and Gladstone Board of Works then in existence offered to the Government the building in which they had been carrying on their business. He believed they had received an offer from a contractor for that building for the sum of £3,000, which was about what it was worth according to valuation. They offered it to the Government for that sum, and their offer was accepted. The Board of Works declined to hand over the building to a public department of the Government until the money was paid. They received from the late Colonial Treasurer, or one of his subordinates, a telegram saying that a voucher had passed to them for the amount, and requesting them to hand over the building to Judge Ward, or some other public officer. The Board gave up possession of the building, and shortly afterwards they telegraphed that they had not received any of the purchase-money, and asked where it was. They received a reply that it would be necessary to get an Act passed. It looked like deception on the part of the late Government, but he trusted it was not so, but that it was a mere blunder. The Government had been occupying the building ever since, although the Board could

have received at once from the other party a cheque for the money. Frequent applications had been made for it by the Board, by himself, and by the honorable member representing the district, but the Board had never been able to get a half-penny. He put the question in order to elicit a distinct answer from the Government, whether they were going to pay for the building, which had been occupied for some time.

Mr. LARNACH replied that the information required would be ready in a few days, when he would be prepared to state what would be done in relation to this building.

#### MINISTERS' SALARIES.

Mr. MURRAY asked the Premier, When the Government will introduce the Bill to reduce Ministers' salaries, and arrange as to the disposal of Ministerial residences?

Sir G. GREY replied that the Government would introduce a Bill on the subject, and endeavour to have it passed through the House.

#### MARINE ENGINEER.

Mr. STAFFORD asked the Commissioner of Customs, Whether, in view of the large number of harbour works in course of construction and proposed, the Government will take steps to appoint a competent marine engineer, who would inspect and report on all harbour works in course of construction and proposed to be constructed, and who could act as Consulting Engineer to all Harbour Boards in New Zealand?

Sir G. GREY said the question asked was a very important one. He could merely tell the honorable gentleman that the matter had engaged the attention of the Government, and he hoped shortly to be able to inform the House what course the Government proposed to take on the subject.

#### J. HUME.

Mr. BEETHAM asked the Native Minister, What action the Government propose to take to carry out the recommendation of the Native Affairs Committee on the petition of J. Hume and others? This question related to a most important matter. A great many of the settlers in the Lower Wairarapa had yearly suffered very serious loss in consequence of the water covering their land. The Committee had made a report, and recommended the Government to take action on this matter immediately. It seemed to be a disputed question between the Natives. Some of the Natives had disposed of their rights, and others affirmed they had not. The Native Affairs Committee recommended that the Government should make some inquiry into this matter as soon as possible, in order to prevent the loss which the settlers were now suffering.

Mr. SHEEHAN said this matter had been before the House for several years. It had come before the Native Affairs Committee on two occasions, and reports had been made by them, with respect to the Native rights in the Wairarapa Lake, in favour of the Maori people. He could promise the honorable gentleman that a settlement would soon be come to that would be

satisfactory both to the Natives and to the Europeans in the Lower Wairarapa.

#### PRIVILEGE.

Mr. FOX.—Before proceeding to the Orders of the day, I should like to have permission to put a question to the Government without notice—a question which, I am sure, the Government will recognize I put in entire good faith, and upon which, I think, it is desirable the House should receive further information without delay. The House will recollect that last evening the debate on the motion of the honorable member for Egmont and the amendment of the honorable member for Port Chalmers was adjourned upon the motion of the honorable member at the head of the Government for the express purpose of enabling the Government to consider its position in reference to the reply which had been sent to this House by His Excellency to the letter which you, Sir, addressed to His Excellency covering the resolution of the House on the question of privilege. It took a good many honorable members on this side of the House by surprise this morning when, instead of receiving some announcement as to the position of the Government and His Excellency in reference to this question, and, I may say, receiving that reply which His Excellency had promised after consulting his Advisers, other business was proceeded with. That we did not expect; and all I ask now is whether the honorable member at the head of the Government will inform the House whether any communications have taken place between His Excellency and the Government, and whether His Excellency is prepared to give that reply which he intimated he would do, or, if not, when the House is likely to be favoured with it.

Sir G. GREY.—I think that the honorable gentleman who has asked the question has put into my mouth words which I did not use—namely, “the position of the Government.” I remarked last night that the honorable member used that expression himself, but I never used it. It is now my duty at once to tell the House that communications have passed between His Excellency and his Ministerial Advisers, upon the subject to which the honorable gentleman has alluded; and that, as soon as it is in my power to announce to the House that those communications are closed, I will communicate the result. That is all I am prepared to say at present.

#### DISQUALIFICATION BILL.

Mr. KELLY, in moving the second reading of this Bill, said that it would be generally admitted that the existing Disqualification Act was of a most unsatisfactory character. One of the chief points which proved the defective nature of its provisions was the provision with regard to persons said to be contractors under the Government. The provision with regard to contractors was supposed to be that, when a person became a contractor under the Government during the time that he was a member, his seat by that fact became vacant. It was found, however, when the question was tried, that the clause which was said to be



framed with such care, and had so many watchful eyes over it, broke down at the time when it should have been most effective. The Act was called "An Act for better securing the Freedom and Independence of Parliament," as if the freedom and independence of Parliament had been in danger, and the Act was brought in to secure them. How, then, did it set about accomplishing that object? It first provided that no person holding an office under the Crown to which any salary, fee, wages, or emoluments of any kind are attached could be elected to the House of Representatives or be nominated to the Legislative Council while holding such office, and that, if he held such office, his election should be void. Then it went on to say that this provision should only apply to a certain number of persons. Ministers of the Crown, and certain other persons, were declared to be exempt from that part of the Act. It also provided that no person who ceased to be a member of either House should hold office under the Crown for twelve months after his ceasing to be a member; but there were exemptions from this provision Ministers, the Speakers of the two Houses, and all late Superintendents and members of Provincial Executives. That, to his mind, was not a very satisfactory provision. The Bill he brought in was of a very simple character. It merely provided that persons who accepted office under the Crown, or held such offices, could not be elected or nominated to the two Houses respectively, and, if they accepted such offices afterwards, their seats became vacant. It next provided that no contractor under the Government could be elected or nominated, and, if he afterwards accepted a contract, he would cease to be a member. The Bill also provided that the House and the Council should judge when a seat was vacant. He was aware that this point was open to debate. At present action could be taken in the Supreme Court, and the Houses also had power to take action. He thought such cases ought to be settled either by the Houses or by the Supreme Court. He provided in his Bill that the House or Council should respectively declare when a seat was vacated, but if any honorable member moved, as an amendment, that the matter should be determined by the Supreme Court, he would not object. These were the principal provisions of the Bill of which he now moved the second reading.

Bill read a second time.

#### TARANAKI COUNTY RESERVES BILL.

Mr. KELLY, in moving the second reading of this Bill, said that it had been introduced in order to give effect to the recommendations of the Public Petitions Committee in relation to the petitions of David Anderson and the Taranaki County Council. The reserves mentioned in the First Schedule had been vested in the Superintendent, and were, on the recommendation of the Committee, to be vested in the County Council in trust for the improvement of a certain road in the county. Then there were other lands described in the Second Schedule which had been selected by the Titanio Steel and Iron Company; but that Company had not fulfilled the condition

*Mr. Kelly*

under which it held the land. The Company petitioned the House that the land be granted to them; and the Public Petitions Committee recommended that, if the Company smelted a certain amount of iron from the Taranaki iron-sand within a time to be fixed by the Government, the land should be granted. The County Council prayed, as the Iron-sand Company had forfeited the land, that it should be vested in the County Council for the same purpose as the other lands mentioned in the Bill; but the Petitions Committee considered that the time had not arrived to take this step absolutely. The clause in the Bill dealing with the Iron-sand Company's land was of a contingent character, and was simply intended to achieve this: that, if the Company did not fulfil the conditions, then the land fell back into the hands of the County Council.

Mr. SHEEHAN said he should not object to the Bill, but he hoped it would not be committed till Thursday. He assumed that the Bill did not propose to divert the land from the original trusts. With regard to clause 4, he knew of no objection to the proposed reversion of the lands if the Company failed to carry out its objects; but if the honorable member would adjourn the committal of the Bill till Thursday he (Mr. Sheehan) would be able to tell how far the Government would support him.

Mr. STOUT hoped that the Government would not allow any one to deal with the land until the Company's term was up. The Company had spent many thousands of pounds, and he knew of his own knowledge that many people would not have taken shares if they had not believed that the land in question was secured to them; and it would be unfair of the Government and unfair of the House to allow the whole money to be swept away, and all the lands to be given to the County Council. If that were done, the result would be to damp all enterprise in the future. He did not oppose the second reading of the Bill; but, unless the 2nd clause were struck out, he should oppose it altogether. It was improper to mix up the County Council in the matter.

Mr. REID said he quite agreed with the honorable member who had just addressed the House. If the Company had failed to comply with the conditions it had only done so in a technical sense. No doubt the Government was in a difficulty, but, in case the conditions could not be fulfilled within the time stipulated, he should like to see legislation, if necessary, in order to enable the Government to give the land. The Company, he believed, was quite willing to fulfil the conditions.

Mr. TRAVERS said he had, in consequence of communications he had had with the Chairman of Directors, and with their consent, placed the notice of motion standing in his name on the Order Paper, in reference to the report of the Public Petitions Committee on the petition of David Anderson. The Company were perfectly willing to give up all claim to the land, on being relieved of all liability as to performance of conditions, if the Crown paid them £1,250, which

they had paid on account of it. The Company was perfectly willing to accept that, and he thought a provision to that effect might be introduced into the 4th clause.

Mr. KELLY said clause 2 did not take away any rights which the Company at present possessed, but simply provided that, if the Company did not fulfil the conditions, then the County Council got the land on which it had a claim.

Bill read a second time.

#### KAKANUI HARBOUR BILL.

Mr. SHRIMSKI, in moving the second reading of this Bill, said it was similar to a measure that was introduced last year to carry out the same object. The only alteration was an increase in the amount of land to be set aside from 6,000 acres to 8,000 acres.

Sir R. DOUGLAS said this was only one of a class of Bills which were being passed through the House to provide endowments for various harbours throughout the colony. It might be in the recollection of the House that last year he endeavoured to obtain an endowment for a harbour in his district, but that proposal was scouted. He would not like to apply the term he might apply to the system which allowed Bills of this character to pass without opposition or remark in the case of certain honorable members, while they were violently opposed in the case of others. He was astonished that a Bill of this nature, raising such a large question, should be allowed to go to its second reading without being questioned. The only remark made by the honorable gentleman who moved the second reading was that the Bill differed slightly from the one introduced last year. If he (Sir R. Douglas) had endeavoured to get a land endowment for a harbour in his district, where public works were sadly required, would it have been passed in this way? He ventured to say, after the treatment he received last session, that it would not. The harbours north of Auckland had not had one penny spent upon them. He had on many occasions tried to get assistance, but had failed; and he therefore felt himself justified in protesting against this Bill. There ought to be one Harbour Act for the whole colony. The colony should take these large colonial works into its own hands, and the Government should see that no more land was set aside for harbour purposes than was absolutely required. His own belief was that the land of the colony should be reserved for the people to settle upon. Let them buy the land, and then they could be taxed to raise whatever sums might be necessary for the improvement of harbours. He objected to the setting aside of large reserves in some districts, while other poorer districts were left without reserves. How did the Government expect to get New Zealand settled under such a system as that? If the system were continued the country would never be settled. He objected to the passing of such Bills. Whilst the South Island was vastly endowed, and its people were becoming richer every day, there were people in the North who found it impossible to get a single thing done in the shape of public works. The sons of settlers were growing grey, and were now

as far as ever from obtaining that consideration which they ought to receive; and why? Simply because the land was being set aside as reserves for the benefit of another portion of the colony. The system was radically wrong, and the Government should take the matter into its own hands, provide one general Harbour Bill for the colony, and devise a system of raising moneys sufficient to keep those harbours open, without making special reserves for them.

Mr. SHEEHAN said the honorable member for Maraden spoke under a feeling of irritation which he hardly thought was caused by the appearance of the quiet little Bill under discussion. He told them that when he brought forward a similar proposal it was not listened to; but the House would remember that the honorable gentleman wanted to set aside the whole of the North of Auckland. Why did not the honorable gentleman take the advice given him by the honorable member for Waikato, and bring in specific Bills for specific harbours? Then, no doubt, he would have received from the Government the same amount of support which they gave to other similar proposals. The honorable gentleman said that if he brought forward a Bill of this kind it would not be assented to. His assertion was made altogether regardless of facts. If he brought forward a Bill to deal with the particular harbour, he would get the same justice that the honorable member for Waikato got. When the honorable gentleman brought forward his motion, he (Mr. Sheehan) told him it was pure bunkum—that he might as well have taken in the whole of the South Island and the Chatham Islands as well. The honorable gentleman was very indignant because his proposal to set aside endowments for harbours north of Auckland was not agreed to; and what did he say now? That no reserves for harbours should be made, and that the colony should provide funds for the management of all the harbours. If that were so, why did he bring forward his Bill at all? The honorable gentleman seemed to forget what he had said on previous occasions. As far as he (Mr. Sheehan) was concerned, if the honorable gentleman would bring forward any specific case in his district, and show that there was a fair claim, he would have the same support from the Government which every other honorable member would get, entirely apart from the question whether he was a supporter of theirs or not.

Mr. WAKEFIELD thought that the Native Minister had been rather hard upon the honorable and gallant baronet. He did not think the honorable gentleman meant to raise the question which was raised a few days previously. He simply said this was one of a class of Bills which would localize a great part of the land revenue of the Middle Island. He sympathized with him to a very large extent, and he went entirely with his honorable friend the Native Minister in saying that, if the honorable gentleman had brought down a Bill to localize a defined tract of waste land for a defined purpose, it would have been the duty of the House, in accordance with the line it had taken up this session, to pass his Bill. He would have voted for it, and he felt sure his

honorable friend the Native Minister would have voted for it also. But he did not think the fact that neither the honorable and gallant baronet, nor any other member from his part of the country, had chosen to bring down a Bill of the kind, was any reason why this Bill should not pass. He happened to know something about this Kakanui Harbour, and, if he might be allowed briefly to state to the House the facts connected with it, he thought it would pass the Bill without dispute. The Kakanui Harbour works were constructed out of provincial funds. The proposal to make the harbour was ridiculed from the very beginning, but the harbour was a grand success. It was said at first that the scheme was impracticable, and that it would cost hundreds of thousands of pounds; but steamers were now running every day between Kakanui and Dunedin. He had been to Kakanui, and he was satisfied of the success of the harbour. It was an undoubted success, and was the pioneer of a system of harbour construction on the river lagoons in the Middle Island the value of which it was impossible at that moment to estimate. He hoped the arguments of the honorable and gallant baronet, which were right in the main, would not be allowed to interfere with this Bill. If the question came up in such a form as had been indicated by the honorable and gallant baronet, he would assist him to the utmost in getting such a system applied to the North Island as they were endeavouring to apply in a moderate form to the Middle Island.

Mr. ROWE said that if the honorable member for Geraldine considered the different circumstances in which the North Island and the South Island were placed he would go a little further, and say, "If you have not land to set apart for making harbours, I will assist you to get the money to make them out of the Consolidated Fund." He would not oppose the Bill. He approved of it, because he approved of the principle that land should be set aside for these purposes. He hoped when that was being done his honorable friends who represented the Southern Island in that House would remember that the North Island had no land to set aside as endowments for such a purpose. The improvements which were required to be made in the harbours of the North Island were quite as imperative as in the case of the harbour to which this Bill referred. It was useless to ask for endowments, because the land was not there; but he trusted that, while he assisted his southern friends to get such Bills as this through the House, they would by-and-by, when claims were preferred for the North Island, assist in getting, if not land, at any rate money out of the Consolidated Fund for them, so that each Island might be placed on an equality. He would vote for the second reading of the Bill.

Mr. REES said that, if the honorable member for Marsden were desirous of furthering the hopes which his district had for a long time entertained of having its harbour improved, he would do well this session to bring down some Bill for the purpose of endowing the harbour. He believed there were Government lands in the North Island which could be devoted for the

purposes of endowment just as well as the lands which were being used in the South. He felt that the northern harbours should be provided for as well as the southern ones. If the honorable member for Marsden would accept of any assistance from him he would be happy to give it, and he would be prepared to draft a Bill for the purpose of endowing his harbour if the honorable gentleman could show him that there were lands available within any reasonable distance. As he had said, he would undertake to draft a Bill and to assist in passing it through the House, provided that there was any land available. He did not wish the Bill to apply to any particular harbour, but to all in the North Island. He would be very happy to assist in setting aside particular blocks of land for the purpose of improving the harbours in the North Island.

Bill read a second time.

#### FOREST TREES PLANTING BILL.

Mr. HARPER moved, That Mr. Speaker do leave the chair, in order that the House might go into Committee on this Bill.

Mr. STOUT said he could not agree with this Bill. It simply meant that money should be given to those who had money, because those who went in for forest-planting were generally men who had money. It was proposed to give two acres for every one that was planted, and consequently a man might get double the number of acres of land that he held provided that he planted a few blue-gum trees. He could not support the Bill.

Mr. W. WOOD imagined that the Government had not had sufficient time to consider the Bill, and therefore he would move that it be committed on Thursday next.

Sir R. DOUGLAS said that, as a question of giving so much land as payment for so much work done, it was absurd to offer to give two acres for every one that was planted. There was a great deal of trouble and expense connected with the planting of forests. Perhaps it would suit the honorable member for Dunedin City if planting were stopped altogether. If the idea was to encourage those who had the means to continue planting, they would not be offered very much encouragement if they were only to be given two acres for every one they planted. The planting of trees was beneficial to the whole of the colony. As they all knew, the forests affected the rainfall; and in Canterbury, at any rate, there were many places in which it would be desirable to raise forests for the purpose of attracting rain. The amount of land given appeared to bear no proportion to the work done. If it was for State purposes and for the good of the country in general that trees should be planted, he did not think they should take into consideration the amount of land given. If it was considered by the House not desirable to plant trees as a State matter, then let them give no land at all.

Mr. REID said the carrying out of the measure would depend greatly upon the existing regulations. In regard to the statement of the honorable member for Dunedin City that the land

*Mr. Wakefield*

might be planted with blue-gums or poplars, he did not think that would be the case. The land must be planted in accordance with the regulations approved by the Governor in Council. These regulations were now in existence, and in each case the person about to plant would have to obtain the consent of the Governor as to the character of the trees to be planted. He thought that would be a very good safeguard; but he thought the Bill should go further, and provide that the Governor should have power to give his approval as to localities in which the trees should be planted. There were many localities in which the planting of trees might be a public benefit, while there were other localities adjacent to native forests in which the planting of trees would not be beneficial. He thought the honorable member for Dunedin City went too far in objecting to the Bill altogether. There was a general feeling, and a well-grounded feeling, that some amount of plantation was very necessary in this country. The feeling had gone so far that the Assembly had passed a Bill to enable the Government to undertake the planting of State forests. If they adopted this Bill, and if the Governor had the power of determining in what part of the country forests should be planted, they would obtain a far more economical mode of planting the forests, and they would be better conserved, than if the work were undertaken by the Government. Therefore he would be disposed to support the committal of this Bill and the passing of it through Committee. He believed that it provided a most economical and most efficacious way of procuring plantations in the country. He looked upon the system of forest-planting undertaken by the State as one likely to lead to very great expense, and there would be great difficulty in conserving the forests without very great expense to the country. He did not say that the existing regulations were all that were required—they might be amended very considerably; but that was a matter of detail, which could be considered by the Government.

Mr. REES thought it would be wise to agree to the adjournment, inasmuch as the Minister for Lands was not able to be present, and had not had an opportunity of speaking upon the Bill. It did not go to the principle of forest-planting: it went merely to the question of the land to be granted; and therefore he thought the Minister for Lands ought to be present. No time would be lost by adjourning the committal of the Bill until Thursday next.

Mr. BOWEN thought it would be a pity to put off the committal of the Bill at this period of the session. The argument of the honorable member for Dunedin City was to the effect that it was a waste of the public estate to give two acres of land for one that was planted, whereas the honorable member for Auckland City East said very truly that this Bill did not affect the principle of the law so far as regarded the amount of land to be given for every acre planted, but only encouraged the planting of larger areas. Those who took an interest in the question of planting knew very well that the law was not wanted to encourage merely ornamental bits of

planting. They were chiefly an advantage to the persons who planted them; and yet a certain area of land was given, by the old Bill, to the person who might plant a very small amount of land. The great object to be obtained was to encourage such plantations as would really have an effect upon the whole country-side. Wherever the provisions of the Act had been put in force, he could venture to say that it had been found beneficial in every case. He never heard of a case in which any one had objected to land being obtained by those who were putting in plantations. He had heard a great many people complain that the Act did not sufficiently encourage large plantations. The question for the House to determine was, whether it would pay the State to give as much land as would encourage such large plantations as would really be a benefit to the country. He hoped that the Bill would not be postponed, as he thought it would endanger the passing of the Bill at this stage of the session.

Mr. HARPER said that the Bill had been discussed on the second reading, and was afterwards referred to the Waste Lands Committee, who reported it to the House without amendment. He did not think that anything would be gained by delay. The late Minister for Lands was a member of the Waste Lands Committee, who had considered the matter in all its bearings. Under the regulations referred to by the honorable member for the Taieri, a person could not obtain a grant of land until he had received a certificate from the person employed by the Governor to the effect that the trees had been properly planted; that they were of a proper character; that they were three years old, and in a proper state of growth at the time. And the applicant was precluded from using the land for any other purpose than the planting of trees. If these regulations were strictly carried out, it appeared to him that there could be no possible danger of any very large portion of the waste lands of the Crown being taken up by persons under the provisions of the Bill unless for purposes of *bona fide* planting. There were as yet but a very few hundred acres of land applied for, and it was not likely that this Bill would seriously affect the waste lands of the Crown. If people were prepared to plant large tracts of land according to the regulations laid down for that purpose, he thought they were fairly deserving of the amount of land proposed to be given to them. He thought the Bill might be committed, seeing that it had already been discussed upon the second reading, that it had been referred to the Waste Lands Committee, and that it had been returned to the House without amendment.

Question put, "That the word 'presently' stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	29
Noes	...	...	...	...	25
Majority for	...	...	...	...	4

## AYES.

Major Atkinson,	Mr. Ormond,
Mr. Baigent,	Mr. Reid,
Mr. Beetham,	Mr. Richardson,
Mr. Bowen,	Mr. Rowe,
Mr. Curtis,	Mr. Seymour,
Mr. De Lautour,	Mr. Sharp,
Sir R. Douglas,	Mr. Stevens,
Mr. Fox,	Mr. Sutton,
Mr. Johnston,	Mr. Swanson,
Mr. Larnach,	Mr. Tawiti,
Mr. McLean,	Mr. Travers,
Mr. Montgomery,	Mr. Whitaker.
Captain Morris,	<i>Tellers.</i>
Mr. Murray-Aynsley,	Mr. Harper,
Mr. Nahe,	Mr. Rolleston.

## NOES.

Mr. Ballance,	Mr. Murray,
Mr. Barff,	Mr. Rees,
Mr. J. E. Brown,	Mr. Reynolds,
Mr. Bunny,	Mr. Sheehan,
Mr. Dignan,	Mr. Shrimski,
Mr. Fisher,	Mr. Stout,
Mr. Hamlin,	Mr. Thomson,
Mr. Hislop,	Mr. Tole,
Mr. Hodgkinson,	Mr. Wakefield,
Mr. Hursthouse,	Dr. Wallis.
Mr. Joyce,	<i>Tellers.</i>
Mr. Lusk,	Mr. Seaton,
Mr. Macfarlane,	Mr. W. Wood.

The amendment was consequently negatived, and the Bill considered in Committee.

Progress was reported, and leave given to sit again.

## STRATH TAIERI AND OLYDE RAILWAY BILL.

Mr. PYKE moved, That the Chairman do leave the chair, for the purpose of going into Committee on this Bill.

Mr. McLEAN did not rise for the purpose of opposing the committal of the Bill — on the contrary, he was in favour of the measure; but he would like to ask the honorable gentleman in charge of it to accept an amendment, placing in the hands of the Government the option of deciding, after due inquiry, which line should be selected. The amendment he would propose would not have the effect of postponing the construction of the line. If it were found, after surveys had been made and full inquiries entered into, that the Strath Taieri line was preferable to the Palmerston line, then the Government, under his proposal, would be enabled to proceed with that line. He did not think there could be any objection to that course. The line from Palmerston had always been understood to be the one that was to be made; in fact, tenders had already been invited for a section of it.

Mr. REID was satisfied with the line fixed in the Bill, but he thought the proposals in the 5th, 6th, 7th, 8th, and 9th sections were not desirable. He had no objection whatever to land being set apart, if necessary, to recoup the money expended in the construction of this railway; but he was strongly impressed with the feeling that this line should be constructed by the Colonial Govern-

*Mr. Harper*

ment, and that any proposal which handed over the line to the various County Councils, and which would enable them to borrow money at this high rate of interest, and to enter into contracts for the construction of the railway, would not be beneficial to the country. They knew, as a matter of fact, that the country would have to pay for the railway in the shape of land, and it was in the interests of the country, and of every one concerned, that the work should be undertaken by the Government and carried out by them. It would be impossible, during the ensuing recess, for them to do more than get details of surveys, plans, and estimates. In the meantime there could be no harm in passing the Bill, which would set the land aside as security. When he said that, it must be borne in mind that this land was now practically set aside, as it was not open for sale. The land being occupied in the meantime did not affect the question, for it was not likely to be open for sale at all events for the next two or three years. The present leases would expire in a very short period, and seeing that the railway was to be made through these lands, it would be as well, before the lands were sold, that the railway should be open. By that means a better price for the land would be secured. But he thought it would be a great waste of the public revenue to hand over the raising of the loans and the management of them to the County Councils, and for that reason, when in Committee, he would test the opinion of the House in regard to the sections he had named: otherwise he quite approved of the provision that this land should be set apart in order that a railway might be constructed to the interior of the Province of Otago.

Mr. PYKE said that the amendment of the honorable member for Waikouati would more properly form the subject of discussion in Committee. With regard to the remarks of the honorable member for the Taieri, he quite agreed that it was very desirable that the Government should undertake the construction of this railway; but the further proposal that the counties might construct the line had been adopted as a *dernier ressort*, seeing that the Government would not undertake the duty.

Motion agreed to, and Bill considered in Committee.

## IN COMMITTEE.

Clause 13.—Railway Trust may pledge proceeds of reserves.

Mr. MURRAY moved, That the words "seven per centum" be omitted, for the purpose of inserting "five per centum."

Question put, "That the words proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	26
Noes	...	...	...	...	25
<hr/>					
Majority for	...	...	...	...	1
<hr/>					

## AYES.

Mr. Ballance,	Mr. Nahe,
Mr. Barff,	Mr. Rees,
Mr. J. C. Brown,	Mr. Reynolds,

Mr. Bunny,  
Mr. Fisher,  
Mr. Fitzroy,  
Mr. Fox,  
Mr. Hamlin,  
Mr. Hislop,  
Mr. Hodgkinson,  
Mr. Joyce,  
Mr. Larnach,  
Mr. Lumsden,  
Mr. Lusk,

Mr. Seaton,  
Mr. Stout,  
Mr. Swanson,  
Mr. Taisora,  
Mr. Teeschemaker,  
Mr. Thomson,  
Mr. W. Wood.

*Tellers.*

Mr. De Lantour,  
Mr. Pyke.

**NOES.**

Major Atkinson,  
Mr. Beetham,  
Mr. Bowen,  
Sir R. Douglas,  
Mr. Harper,  
Dr. Henry,  
Mr. Johnston,  
Mr. Kennedy,  
Mr. McLean,  
Mr. Montgomery,  
Captain Morris,  
Mr. Murray-Aynsley,  
Mr. Reid,

Mr. Richardson,  
Mr. Rowe,  
Captain Russell,  
Mr. Shrimski,  
Mr. Stevens,  
Mr. Sutton,  
Mr. Tawiti,  
Mr. Whitaker,  
Mr. Williams,  
Mr. Woolcock.

*Tellers.*

Mr. Murray,  
Mr. Rolleston.

The amendment was consequently negatived.

Bill reported to the House, and read a third time.

The House adjourned at fifteen minutes to one o'clock a.m.

## LEGISLATIVE COUNCIL.

*Wednesday, 7th November, 1877.*

First Reading—Second Reading—Third Reading—Public Health Bill—New Plymouth Harbour Board Bill—Education Reserves Bill—Education Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

**PRAYERS.**

**FIRST READINGS.**

Wyndham Recreation Reserve Bill, Patea Harbour Board Bill, Strath Taieri and Clyde Railway Bill.

**SECOND READING.**

Wyndham Show-Ground Bill.

**THIRD READING.**

Domicile Bill.

**PUBLIC HEALTH BILL.**

On the motion that this Bill be further considered in Committee presently,

The Hon. Mr. PEACOCK said this measure should be deferred. Before it proceeded further he thought honorable members should have some information as to its origin. It appeared that the people interested knew nothing whatever about it, and several meetings within the City of Christchurch and the suburban districts comprised within the drainage district were totally averse to the Bill being passed. He had tried to find out from whom the Bill emanated, and he

was told from the Drainage Board. He thought the Drainage Board, who were the Local Board of Health, should not bring forward such a Bill without giving due notice to the people interested. The preamble said, "And whereas it is expedient to make further provision for supplying the Christchurch Drainage Board, as a Local Board of Health, with funds to carry out the provisions of the said Act." He did not think that that was at all necessary, as they were already provided for. Rather than that power should be given to levy rates, the Corporation of the City of Christchurch would be prepared to carry out the provisions of the Local Board of Health Act, and the Road Boards of the suburban districts included in the drainage district said they would do the same without further rating power. Formerly the road districts comprised within the drainage district levied 1s. in the pound, and with that they did all the work that the Drainage Board was doing, although perhaps not so well; and they also kept the roads in repair. Now the Road Boards levied up to the extent of 1s., and the Drainage Board up to the extent of 5d. in the pound. Yet the Drainage Board asked for power to levy a further rate of 2d. in the pound, but the people did not like this. He believed that the reason why the Christchurch Drainage Board had the powers of the Local Board of Health given to them was simply because they had machinery at their command by which the functions of the Local Board of Health could be carried out; and they also had the funds, because subsection 4 of the 16th clause of the Public Health Act said,—

"For directing the same and all other expenses incurred by such Board in the due execution of this part of this Act to be paid out of the general city, town, borough, or district rates, or out of any rates or any moneys applicable by the Board to the purposes of improving the city, town, borough, or district, or otherwise at the disposal of the Local Board."

Therefore he maintained that there was no occasion whatever, this year at all events, to impose further taxation, and it would be far better if this Bill were dropped. Sanitary measures would not be neglected, because the Local Board of Health was the Drainage Board, and they would attend to matters affecting health; and he thought a rate of 5d. would be quite sufficient to pay all the expenses incurred on account of the Local Board of Health. He really could not see what the extra expenses were, for the Drainage Board were bound to keep Inspectors of Nuisances for their own purposes. He looked through *Hansard* to see why it was first mooted that the Drainage Board should be the Board of Health, and the only reason he found was that the Drainage Board had the machinery and funds at their disposal necessary for carrying out the works. He maintained that provision had been made, and there was no occasion for anything further, at all events until the people interested had something to say in the matter. He had copies of resolutions passed at a public meeting held on the 25th ultimo, at Christchurch. These had been sent to other honorable members. He also had a

resolution passed at a meeting held at Knightstown, in the Avon District, to the effect that the people there did not wish this Bill to be further considered until they had had an opportunity of discussing the matter. He had received information that at other places comprised within the drainage district the residents were about to hold meetings. He did not say now whether he approved of transferring the duties of the Local Board of Health to the Corporation or Road Boards; but he thought the Bill should be deferred, more especially as the people desired it. Therefore he moved, That the Bill be further considered in Committee that day three months.

The Hon. Colonel BRETT believed what the honorable gentleman had said to be thoroughly correct, and indorsed the opinions in communications he had received from the Municipality of Christchurch, and from private individuals. The people there were very much opposed to this Bill, and he hoped the Council would allow it to be either discharged, or postponed until the return of the Hon. Mr. Hall and the Hon. Mr. Buckley, who were now in Christchurch, and possibly might bring back some important information. If the Bill were postponed for, say, ten days, that would give ample time for its reconsideration.

The Hon. Captain FRASER had great pleasure in supporting the motion of the Hon. Mr. Peacock. He had received copies of resolutions passed at a public meeting held on the 25th instant at Christchurch, which were as follow:—

“City Council Office,

“Christchurch, 26th October, 1877.

“1. In the opinion of this meeting it is expedient that the Bill now before the Assembly, intitled the Public Health Amendment Act, should not be proceeded with until such time as the ratepayers of the district concerned have had time afforded to them to consider the same.

“2. That this meeting protests against any additional rating power for local purposes being given to any body outside the City Council for the City of Christchurch.

“3. That, in the opinion of this meeting, it is desirable that the powers to be exercised under the Public Health Act should be vested in the Christchurch City Council within the city, leaving the remainder of the drainage district to be dealt with by the Drainage Board.

“4. That it is desirable that copies of all Bills introduced into Parliament affecting Municipalities should be furnished by the Government to such bodies as soon as printed.

“5. That His Worship the Mayor be requested to forward the above resolutions to the Colonial Secretary and City members, with a request that effect may be given to the same during the present session.

“W. HASKINS,

“Town Clerk.”

In his opinion it was very desirable that, before Bills of this kind were introduced into Parliament, the people should have notice of the intentions of the promoters. This was the second Bill from Christchurch which had been introduced without the sanction and without the knowledge of the people. The other Bill was withdrawn,

Hon. Mr. Peacock

and he hoped this would be, or be recommitted that day three months.

The Hon. Colonel WHITMORE said that to remit this Bill to a Select Committee would only be to entail upon that Committee an amount of very unsatisfactory work. To put it off until the return of the Hon. Mr. Buckley would practically be to include it in the usual annual slaughter of innocents, which he apprehended would commence within a very few days in this as well as in another place; for it was to be hoped that the Government would, towards the end of next week, be in a position to advise His Excellency to prorogue. This Bill was one of those which showed them the extreme difficulty, at all events in the initiation of a new system, of laying down rules which would generally be acceptable in the various centres of the colony; but it would be his duty, as long as he had anything to do with these matters, to take no step in a direction in which people felt so much interested without endeavouring to ascertain what was really the state of feeling in the part of the country affected. To show what had been done in this case he would describe the history of this Bill. Last year, when the Public Health Bill was under consideration, the representatives of the City of Christchurch inserted a proviso in the 14th clause, by which the Christchurch Drainage Board, which had been constituted under the Act of 1875, was to form an exception to the whole colony. Everywhere else the Municipal Council was the Board of Health, but the Christchurch Drainage Board was the Board of Health not only for the city, but for a large extent of the environs, and that proviso was put in at the request and with the concurrence of the Christchurch Municipality. Now, from documents which had been distributed, it appeared that the Municipality, which had changed its *personnel* in the meantime, had a distinct objection to that proviso of the Bill this year. So it became not only difficult to ascertain the views of the people who were concerned in these matters, but their views from one year to another entirely and radically changed. Under these circumstances, he made inquiries in the various districts about, and he found that the local bodies were all willing to be Boards of Health, and the Municipality was exceedingly eager to be the Board of Health. On the other hand, the Drainage Board said, “If we have to carry out the law, we must have funds. We have incurred expenses already on the faith of the Public Health Act of last year, which gave us those powers; and, to carry out the law to the end of the year, we must be enabled to raise rates.” Whether it was a disinclination to part with power of any kind, or unwillingness to form an exception to the rule throughout the colony, or a not unnatural dislike to rating, he did not know; but when the question of providing funds for carrying out the Act was brought forward, the Municipality would have nothing more to do with it. On the other hand, the Drainage Board would not accept the proposition to levy the rates in the suburban districts and to let the Municipality have the power within the borough. Practically, there was no reasonable compromise

that anybody concerned would agree to. Having referred it to the late Superintendent of Canterbury, having asked the opinion of Mr. Richardson—who had taken a very great deal of interest in this matter—and of Mr. Stevens, who, he believed, drew up that proviso, as well as of several other gentlemen in the other branch of the Legislature, he came to this conclusion: that, at least, it would be wiser to allow the Bill to go on for this year, and to provide funds until some other provision was made. He had come to the Council prepared to put the Bill through Committee. He did not think there would be any argument against that of the want of funds. There was no other way of providing them except by rates. If the honorable gentleman would confine his opposition this year to modifying the rates—which he believed, after all, to be at the bottom of the opposition—and seek to alter that in Committee, he would be disposed to support him. But the responsibility of determining the exact amount of reduction must lie with the honorable gentleman, because he had no means whatever of ascertaining what was likely to be the expenditure, and how low a rate would meet it. As opinions appeared to be so conflicting and irreconcilable, and as the one positive argument of a want of money was an existing fact that must be got over, he thought the honorable gentleman should allow the Bill to be recommitted. He must really wash his hands of the matter further. He could not say whether the honorable gentleman was right; he did not know whether the system of drainage required that all those suburbs should be included in the district; and he did not know whether the Drainage Board, in carrying out their scheme of works, were the proper people to form the Board of Health. Those were matters on which opinions differed so much that he must really leave all responsibility in the matter to the Hon. Mr. Peacock, who ought to know more about it than he did. It was a purely local matter; but he believed that, from a scientific point of view, there were very grave reasons for believing it would be highly desirable that the body which managed the whole of the drainage should also have the care of the public health.

The Hon. Dr. POLLEN said that when his honorable and gallant friend the Colonial Secretary made his prophecy as to the speedy termination of the session, he was reminded of the expression of wonder that any two Roman Augurs could meet each other without laughing. He looked at his honorable friend's face, and they both laughed. They felt that the "signs" in these times did not enable them, or any one, to predict very certainly the event to which he referred with becoming confidence. He wished to say one word about this Bill. He thought that the objections to it were of what an honorable member called a "parochial" character. It was the usual disinclination to pay taxes. Honorable members would recollect that the Public Health Act imposed certain duties upon municipal bodies and Highway Boards acting as Local Boards of Health; and it gave them the power to appropriate a portion of their muni-

cipal or district funds for the purpose of defraying the costs necessarily incurred in each local district in carrying out the provisions of that Act. If the present arrangement had not been operative, the City of Christchurch and the surrounding districts which were included in the drainage district would in each case have had the necessity imposed upon them of finding the funds for carrying out the provisions of the Public Health Act in their respective localities: that was to say, the City of Christchurch would have been obliged to find funds to defray the charges for the inspection of nuisances, for drainage, and for carrying out all the requirements of the Public Health Act; and the suburban districts in the neighbourhood would each have been in the same position. Honorable gentlemen would recollect that when the Public Health Act was being passed an amendment was made, towards the close of the consideration of the Bill, to the effect that, instead of the City of Christchurch and the respective suburban districts each being made a Board of Health, a Board of Health was formed of the Drainage District Board of Christchurch, which district included the city and several suburban districts. It appeared to all the members representing the Canterbury Provincial District in another place, and to the honorable gentlemen in the Council who also had a knowledge of the requirements of the Canterbury District, that the arrangement was an exceedingly good one, especially considering the peculiar difficulties in carrying out the sanitary regulations, and particularly those relating to draining in Christchurch. But the Drainage Board found that it had no power to apply its own funds, which were appropriated for special purposes, towards the carrying out of the Public Health Act; and in consequence it had been obliged to use funds which were raised for another purpose for its requirements in that direction—that was to say, for the carrying out of the provisions of the Public Health Act, not in one district, but over all the districts within its own jurisdiction. Under those circumstances, if this Board had not been in operation, the duty would have been imposed on each of the separate Boards of finding the necessary funds which had been provided for them by the Drainage Board of the district. It would seem fair, therefore, that the provision in this Bill should be carried out; that the Drainage Board should be recouped the £500 which it had already expended, and that a power, which a great many of the Local Boards would like to have, of levying a special rate for this purpose should be conferred upon it. The Bill was promoted by an honorable gentleman in another place who was a representative of Christchurch, and might be assumed to be in a position to know the wishes of the persons interested in the matter.

Question put, "That the word 'presently,' proposed to be omitted, stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	7
Majority for	...	...	...	...	11



## AYES.

Captain Baillie,  
Sir F. Dillon Bell,  
Mr. Chamberlin,  
Dr. Grace,  
Mr. Hart,  
Mr. Holmes,  
Mr. G. R. Johnson,  
Mr. J. Johnston,  
Mr. Lahmann,

Mr. Mantell,  
Mr. Menzies,  
Mr. Miller,  
Mr. Pharazyn,  
Dr. Pollen,  
Major Richmond, C.B.,  
Mr. Russell,  
Colonel Whitmore,  
Mr. Williamson.

## NOES.

Colonel Brett,  
Mr. Edwards,  
Captain Fraser,  
Mr. Nurse,

Mr. Paterson,  
Mr. Peacock,  
Mr. Robinson.

The amendment was consequently negatived, and the Bill was considered in Committee.

## NEW PLYMOUTH HARBOUR BOARD BILL.

The Hon. Sir F. DILLON BELL, in moving that the Speaker do leave the chair for the purpose of going into Committee on this Bill, said he had to make an explanation to the Council which he did not expect he would have to make—namely, that he entirely misled the Council on a matter of very great importance when he moved the second reading of the Bill. He informed the Council, when moving the second reading, that the allocation of the Land Fund made by the Financial Arrangements Act, which extended over the whole colony and applied to the Land Funds of all the provincial districts, made a certain definite allocation in respect to the amount which was to be paid to the New Plymouth Harbour Board. After charging the Land Fund in all the districts of the colony alike—first, with the expense of survey and administration; second, with interest and sinking fund on the permanent debt; third, with interest on railways; fourth, with subsidies to County Councils and Road Boards; fifth, with appropriations for education—the Act proceeded to say, as the sixth charge, “In the case of Taranaki, with the percentage payable under ‘The New Plymouth Harbour Board Act, 1874.’” In speaking on the second reading, he had said he did not expect that any considerable sum would be available out of the Land Fund for the objects of the Harbour Board, because it had pleased the Legislature to impose charges under the Financial Arrangements Act which, in his opinion, would prevent the payment of any considerable part of the Land Fund for a long time. But when the Bill came before the Select Committee to which it was referred, they ascertained that the Treasury held the exactly contrary opinion. The Treasury held that the 6th subsection of the 4th clause of the Financial Arrangements Act, to which he had referred, did not prevent the 25 per cent. which had been appropriated out of Land Fund by the New Plymouth Harbour Board Ordinance, being first paid over to the New Plymouth Harbour Board before any of the other charges were paid; and the Committee were informed that that had been the practice, and was now actually being done. The Committee examined the Secretary to

Hon. Dr. Pollen

the Treasury upon that point, and asked him, if that were the case, what then was the meaning of the prohibition which appeared to be made in section 10 of the Financial Arrangements Act, which section referred to the issue of Treasury bills in aid of the Land Fund, where the Land Fund was not itself sufficient to meet the charges. The prohibition referred to was as follows:—

“Nothing in this section shall be deemed to authorize the issue of Treasury bills for the purpose of making good any deficiency in the percentage of Land Fund payable to the District of Taranaki under ‘The New Plymouth Harbour Board Endowment Act, 1874.’”

The Secretary to the Treasury informed the Committee that in the opinion of the Treasury these words were surplusage, and section 12 of the Act was imperative; which section said,—

“Nothing in this Act contained with respect to the appropriation or division of the Land Fund shall be deemed to alter or affect the liability of the colony to the public creditor, or to affect any permanent appropriation of or charges upon such revenue under any law in force in the colony.”

The Treasury held that, this being a permanent appropriation under a law in force in the colony, it was saved by the 12th clause. The Committee felt it to be their duty to ask the Treasury whether that interpretation did not practically necessitate the issue of Treasury bills in aid of the other charges upon the New Plymouth Land Fund, and they found that that was the case. And now, the Treasury bills authorized by the Financial Arrangements Act in respect to the whole colony having already been exhausted, the Committee found that the process by which money was now raised for the purpose of paying the charges which the Financial Arrangements Act had placed upon the Land Fund of Taranaki alike with the Land Funds of the rest of the colony, was by advances from the Consolidated Fund; and, on referring to the accounts for the quarter which had just expired, they found that, in accordance with that, advances from the Consolidated Fund had been made to carry on the surveys and pay other charges on the Land Fund of the Provincial District of Taranaki, while 25 per cent. of the cash receipts of Land Fund had been paid over to the Harbour Board. Looking to the Financial Statement of the present year, it was seen that, whereas the estimated revenue for the year from the Land Fund of Taranaki was stated at £23,000, the charges under the first five subsections of section 4 in the Financial Arrangements Act amounted to about £22,000 or £23,000, while a sum of nearly £6,000, under the designation “Miscellaneous,” was to be paid over in cash to the New Plymouth Harbour Board as the 25 per cent. The effect of that was that, the cash being paid over in the first instance to the New Plymouth Harbour Board, the colony had to provide the money for the other charges which existed under the Financial Arrangements Act. As he had misled the Council in the matter, he felt it his duty to make this explanation. He did not himself agree in the interpretation placed upon the Act by the Treasury, and was of opinion

that the true reading of the Act was to charge the 25 per cent. alike with the rest of the charges, and not to impose on the colony the charges of the ordinary interest, and even of the administration and surveys, in order that the payment in cash of this 25 per cent. might first be made over to the Harbour Board. But, whether he was right in the interpretation of the Financial Arrangements Act, or whether the Treasury was right, one thing was certain, that the Treasury operated upon its own interpretation, and that they must treat the case as if the law were as the Treasury had described it to be. Although he was very much disappointed to find that it had pleased the Legislature—if such should be the true interpretation—to make an exceptional arrangement in favour of the Provincial District of Taranaki at the same time that it had pleased it to abolish other existing charges, as for instance the percentage formerly payable to the Timaru and Gladstone Board of Works, yet he did not allow that interpretation of the law to affect his desire that the Bill should be proceeded with, because, as he had said when moving the second reading of the Bill, in his opinion this was a work which ought to be carried on, even if it should have to be paid for altogether by the colony. In reference to the particular recommendations of the Select Committee, he found that the abolition of the concurrent power of mortgage could only be brought about by repealing certain clauses of the Provincial Ordinance, which he would propose to do in Committee on the Bill; and, with regard to the other recommendation, the Council would perhaps think that the clauses of the Provincial Ordinance, coupled with "The New Plymouth Harbour Board Act, 1874," gave sufficient security in the matter.

The Hon. Mr. HOLMES suggested that, as the evidence taken by the Committee was not in the hands of honorable members, the committal of the Bill should be postponed.

Debate adjourned.

#### EDUCATION RESERVES BILL.

The Hon. Colonel WHITMORE, in moving the second reading of this Bill, said it was one which had connection with the Education Bill still under the consideration of the Council. The general proposal was to vest in certain School Commissioners for management all lands already reserved for educational purposes in each provincial district, with the view of one-fourth being devoted to higher education and three-fourths to the ordinary primary education of the country. The Chairman of the Education Board and the Crown Lands Commissioners were the Commissioners for arbitrating between those two interests of primary and secondary education in the subdivision. It was provided by clause 9 that nothing should affect any lands that had been granted for special educational or special school purposes. The mode of appointing those School Commissioners was laid down by clause 11. Three were to be appointed by the Governor, and two by the Board. There was a certain amount of inconsistency between the 14th clause and one of the other clauses, which could be

remedied in Committee. The intention was that nothing but the sites of schoolhouses should be vested in the Boards. There might be a little haziness about the endowment proposed to be made for primary education in the North Island. The intention was that 5 per cent. of the waste lands was to be reserved as an endowment for the maintenance of primary education; but this would be a diminishing quantity, and it would be absolutely necessary to fix the point of departure for that reservation. The Bill, as a whole, was rendered necessary by the present colonial education proposals. And it would commend itself to those honorable gentlemen who took colonial views on the subject of education, and perhaps to some who had strong views on the land question throughout the country. It was no doubt a Bill which, in connection with the Education Bill, would remedy some of the inequalities which at present existed in the country, and would make the burden of education, if it ever became a direct one, equal throughout the country. Feeling that this was a just principle, he would have supported it even if the measure had not been adopted by the present Government. But he must say that the care which had been bestowed upon the whole subject of education by the honorable gentleman specially in charge of it ought not to be forgotten in this country. Even emasculated as the Education Bill to a certain extent appeared to be when it came to the Council, it was a piece of legislation which promised to be the most successful of any education scheme that they had yet had in the colony. He hoped the Council would agree to read this Bill a second time, and that in Committee he would have the assistance of his honorable friend Dr. Pollen in remedying some little defects.

Bill read a second time.

#### EDUCATION BILL.

This Bill was further considered in Committee.

Clause 8.—Expenses of administering department to be appropriated by General Assembly.

The Hon. Colonel KENNY moved, That this clause be struck out.

Question put, "That the words proposed to be left out stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	10
Noes	...	...	...	...	10

#### AYES.

Captain Baillie,	Mr. Miller,
Mr. Chamberlain,	Mr. Nurse,
Mr. Edwards,	Dr. Pollen,
Mr. G. R. Johnson,	Colonel Whitmore,
Mr. Lahmann,	Mr. Williamson.

#### NOES.

Colonel Brett,	Lieut.-Colonel Kenny,
Captain Fraser,	Mr. Menzies,
Dr. Grace,	Mr. Paterson,
Mr. Hart,	Mr. Peacock,
Mr. Holmes,	Sir J. L. C. Richardson.

The votes being equal, the Hon. Major RICHMOND, C.B., gave his casting vote with the "Ayes."

giving the following reason:—The votes being equal, I will not, by my individual vote, bring about a collision between the two Houses upon this question. I therefore give my vote with the "Ayes."

The clause was therefore agreed to without amendment.

Clause 63.—Election of School Committees.

The Hon. Dr. GRACE moved the insertion of the following as the 1st subsection: "Where it shall be determined at any such meeting that an election of a School Committee shall be proceeded with by ballot, then the cumulative principle of voting shall be enforced at such election, and every householder shall have as many votes at every such election as there are members of the Committee to be elected, and shall have the right of giving all or any number of his votes in favour of one person, and the remainder to any one other person or more persons, or he may distribute his votes amongst the several persons to be elected in numbers and in manner as he shall think fit."

Question put, "That the words proposed to be inserted be so inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	9
Noes	...	...	...	...	12
					—
Majority against	...	...	...	...	3
					—

#### AYES.

Colonel Brett,	Mr. Ngata,
Captain Fraser,	Sir J. L. C. Richardson,
Dr. Grace,	Colonel Whitmore,
Mr. Hart,	Mr. Williamson.
Mr. G. R. Johnson,	

#### NOES.

Captain Baillie,	Mr. Menzies,
Mr. Chamberlin,	Mr. Miller,
Mr. Edwards,	Mr. Nurse,
Mr. Holmes,	Mr. Paterson,
Lieut.-Colonel Kenny,	Mr. Peacock,
Mr. Lahmann,	Dr. Pollen.

The amendment was consequently negatived, and the clause as printed agreed to.

Progress was reported, and leave given to sit again.

The Council adjourned at twenty minutes past eleven o'clock p.m.

## HOUSE OF REPRESENTATIVES.

Wednesday, 7th November, 1877.

First Readings—Second Readings—Third Readings—  
Purakanui Railway Station—Counties Bill—Personal  
Explanation—Aorere Tramway—Kingston and Crom-  
well Railway—Kaikoura Cattle—Parliamentary Build-  
ings—Riverton and Otautau Railway—Dr. Buller—  
L. Letton—Catlin's River Telegraph—J. Foley—Trust  
Funds—Sale of Spirits to Natives—Library—Native  
Marriages Bill—Local Option Bill.

The ACTING-SPEAKER took the chair at half-past two o'clock.

PRAYERS.

Hon. Colonel Kenny

## FIRST READINGS.

Little River Cemetery Bill, Public Works and Immigration Loans Bill, Domicile Bill.

## SECOND READINGS.

Peninsula County Bill, Canterbury Railways Land Bill, Mount Cook Road Bill, Hokonui Education Reserve Bill, Masterton and Greytown Lands Bill.

## THIRD READINGS.

Canterbury Rivers Bill, Christchurch Reserves Bill, Crown Redress Bill (No. 2), Thames Water Supply Bill, Onehunga Endowments Bill.

## PURAKANUI RAILWAY STATION.

Mr. REYNOLDS asked the Minister for Public Works, Whether, before fixing the railway station at Purakanui, he will make full inquiries as to the most suitable site for the public convenience? He hoped that, as the station was required, the Government would, before fixing on the site, take care that the station should be placed in the position most suitable for the public convenience.

Mr. LARNACH said that no site had yet been fixed upon, and before anything was done he would make a personal inspection, with a view of ascertaining which site would be best adapted for the purpose required.

## COUNTIES BILL.

Mr. FITZROY asked the Government, If it is their intention to bring down an Act this session to amend "The Counties Act, 1876"?

Mr. SHEEHAN said there was already in print a Bill to amend the Counties Act, but it was drawn up by the late Government, and the present Government could not accept it in its present shape. Another Bill would be brought forward by the Government before the end of this session.

## PERSONAL EXPLANATION.

Mr. GISBORNE.—Sir, I wish to make a short explanation, in reference to the division on the no-confidence motion, why my name does not appear on the division list or on the list of pairs. I was prevented by illness from attending in the House during the last two days, but on each of those days I paired to vote for the motion of the honorable member for Egmont, and against the amendment of the honorable member for Port Chalmers. I am not aware why those pairs were not completed or allowed to be exercised in the way they should have been.

## AORERE TRAMWAY.

Mr. GIBBS, in moving the motion standing in his name, might state that this particular part of the colony had very great claims on the consideration of the House. It had not as yet participated in the benefits which had accrued from the large Public Works policy, the same as other parts of New Zealand. The district was one which opened up a fine field for settlement, and required population. He had been frequently twitted in the House as representing a

very small constituency, but, if this concession were made, those remarks would very soon cease to apply. As the principle had been conceded in several instances, he trusted the House would pass this motion. It was a fine, timbered country, and he was quite confident that, if the proposed tramway were constructed, the result would be a large increase in the population. With those few remarks he begged leave to move the resolution.

Motion made, and question put, "That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider of an address to be presented to His Excellency the Governor, praying that land, in convenient blocks, comprising, in the whole, 20,000 acres, be set apart in the Aorere Valley for the purpose of constructing a tramway to open up the land in that valley for settlement, by connecting it with the shipping port of Collingwood; and that he will be pleased to cause surveys to be made and specifications to be prepared during the recess."—(*Mr. Gibbs.*)

Motion agreed to.

#### KINGSTON AND CROMWELL RAILWAY.

Mr. LUMSDEN, in moving the motion standing in his name, might state to the House that he was not asking that land should be reserved for this special purpose, but that he desired that the merits of the line might be placed before the House after survey had been made. The people in the Lake District, in Cromwell, Arrowtown, and other districts, were fully alive to the importance of having the line of railway extended in the direction indicated, as there was no doubt that the railway would be of great importance to those districts. They had the opinion of Mr. Blair that the proposed line, which would extend for about thirty miles, would be easy of construction, and that the line only required to reach Cromwell to open up an extensive country between Cromwell and the Lake Wanaka District. There was another matter of very great importance in connection with the construction of this line. It was well known that Southland contained what might be called the great timber reserves of the South Island. All about the District of Cromwell was a timberless country. In the upper part of the Province of Otago timber was very scarce and costly. It was a matter of great importance to that part of the country that timber should be obtained cheaply. The timber was so cheap in Invercargill that it could be obtained at half the price which it would cost in the City of Dunedin. The timber supplied from Southland could be landed at Cromwell just as cheap as it could be landed at Dunedin, and the people there would save the entire extra cost of conveying the timber from Dunedin by railway or road to the interior of the country. It would therefore be seen that this was a matter of great consideration to people in that part of the country, who were so anxious to have this line constructed. He hoped the House would accede to the motion.

Motion made, and question proposed, "That, in the opinion of this House, the further opening up of communication with the interior of the

southern part of the South Island, by an extension of the line of railway *via* Lake Wakatipu to Cromwell, claims consideration; and therefore that it be a recommendation to the Government that a survey of the above line be made during the recess, with a view of submitting the work to the consideration of the General Assembly at its next session."—(*Mr. Lumsden.*)

Mr. LARNAOH said it might save the time of the House if he stated that the Government agreed with the remarks of the honorable member for Invercargill; and during the recess steps would be taken to have the line surveyed, in order that it might be brought before the House next session, to approve of or otherwise.

Motion agreed to.

#### KAIKOURA CATTLE.

On the motion of Mr. HARPER, it was resolved, That the Government be requested to give effect to the report of the Sheep and Cattle Committee with reference to the withdrawal of the prohibition against the removal of cattle from the Kaikoura District.

#### PARLIAMENTARY BUILDINGS.

On the motion of Mr. REYNOLDS, it was resolved, That this House approves of the recommendations contained in the report of the Joint Committee of both Houses on the subject of the custody and control of the Parliamentary Buildings.

#### RIVERTON AND OTAUTAU RAILWAY.

Mr. HODGKINSON, in moving the motion standing in his name, said it was of the same character as many others which had already been brought before the House and settled this session, only that in this case there were circumstances which made his claim more reasonable than the others which had been acceded to by the House. In this case there was a railway which had been constructed by the Government to a place called Otautau. The district was a very rich agricultural district, and it also contained limestone and timber; but by extending the railway thirteen miles—in the motion it was stated sixteen miles, but he had found that thirteen miles was the proper distance—by extending it thirteen miles it would open up one of the most valuable coal fields in the colony: not that coal which was found on the West Coast, but the best description of brown coal. The field had been examined by Captain Hutton, and he had reported extremely favourably on both the quantity and the quality of the coal. Captain Hutton said it was the best description of that kind of coal that had been found in the colony. It was admirably suited for domestic purposes, and for stationary engines, and might also be used for steam navigation purposes. If the line was extended as he proposed, the present railway would be much more likely to pay than it was now. He might add that in the neighbourhood of the proposed line a great deal of land had been taken up, and more was daily being taken up on deferred payments; but in the neighbourhood of this coal field there was a large quantity of land which had not been

alienated. Therefore there would be no difficulty whatever in reserving a sufficient quantity to pay for the cost of constructing the railway. He did not know that he need go further into the matter, but he hoped the House would sanction the motion, inasmuch as he believed this was the most deserving case that had yet been brought before the House.

Motion made and question proposed, "That it is expedient to extend the Riverton and Otautau Light Railway for about sixteen miles northward to the Nightcaps Coal Field; and that the Government be requested to reserve an area of land, adjacent to the railway, sufficient to provide funds for the construction of the line; said land to be surveyed into sections of moderate size, and not to be sold until the line is completed."

—(Mr. Hodgkinson.)

Mr. LARNACH hoped that the honorable gentleman would content himself with an assurance from the Government, which he (Mr. Larnach) gave, that the question of the construction of the railway would be considered during the recess, that a report on its feasibility would be obtained, and a recommendation made to the House regarding it next session.

Sir R. DOUGLAS said he had a few remarks to make on this question. Throughout the southern provinces of New Zealand railways were running in every possible direction, and these railways had been made for all possible purposes that could be imagined. He had heard that in the Province of Southland railways were made under a grand public works system absolutely before the people in the province numbered half as many more as there were people in his (Sir R. Douglas's) district. It was a most magnificent scheme, only it ruined Southland. But the honorable member was not content with that, for he now proposed to make another railway; and for what? For the purpose of enabling the district to export brown coal. Why, there was better coal than that all over the country which could be made available for export at a much less cost. The honorable member first came and got a harbour to get the coals out of, and now he wanted a railway to convey the coals to the harbour. By the time he had got all he wanted there would be another million added to the debt of the colony, in order that Riverton might export a little brown coal. How often had the House heard the honorable member for Riverton denounce the late Government for giving away the lands and money of the colony to their friends, and denounce the supporters of the late Ministry for selling their votes! One might look all through a "respectable" edition of Johnson's Dictionary and fail to find the dreadful adjectives the honorable member had applied to the conduct of the late Government and its supporters; yet the honorable gentleman's friends had scarcely become seated on the Government benches when he began asking for and obtaining promises which were so vigorously denounced when made by the late Government. He did not like to use the term, but this railway, to his mind, was a bunkum railway. It was curious to see how easily honorable members could look at mat-

Mr. Hodgkinson

ters in different lights. That which in anybody else was most improper, and amounted to buying and selling votes, was quite right when the actors changed, and the objectors themselves brought forward public works. When he (Sir R. Douglas) brought forward a matter, the justice of which was admitted on all sides of the House, he was accused of selling his vote for money and land, and so forth. The thing was humbug. He had no objection to this railway if it would really be of service; but he could not help remembering that there were other coal fields all over the colony, in connection with many of which there were first-class harbours, and which could be developed at far less cost than it was proposed to go to in this case. In Auckland there were coal fields which could be made available by means of light railways, or what might be called, in reality, tramways. There were harbours a short distance from the coal fields where the largest ships could coal, and if they were opened up there was no reason why not only all New Zealand, but the whole of the Southern Hemisphere, might not be supplied with coal therefrom. Certainly Her Majesty's ships could easily coal in them. To do this, it was not necessary to set aside 20,000 acres of land for sale. He thought it was time that the Government should seriously consider the question of opening up the coal fields. He held in his hand a memorandum referring to one district in which there was a difficulty in getting out the coal. In that district hematite, iron, and fire-clay were plentiful; but owing to the want of tramways the coal could not be turned to good account. Out of one little mine 10,000 tons of coal could easily be taken in the year, which had now to be conveyed from the mine to the port by carts. There was plenty of kauri and totara timber in the district, but it could hardly be utilized, because there was no means of conveying it from the place where it grew. The fact was that there were many and infinitely better coal fields in the colony to which tramways required to be made.

Mr. SHEEHAN was at a loss to understand the reasoning of the honorable gentleman who had just sat down. The honorable gentleman said that he was accused of being bought when he moved a similar motion last session, but he (Mr. Sheehan) emphatically denied that. The honorable member for Invercargill (Mr. Lumsden) had moved a similar resolution to this while he was a member of the Opposition, but nobody could accuse him of having been bought. The honorable member for Marsden had told the House that in his district there were coals, and fire-clay, and other things, and that it only required a tramway to make them of use to the colony. Then why did he not bring in a Bill to provide for the making of the tramway?

Sir R. DOUGLAS said that the Provincial Council of Auckland promised, in 1874, to make the tramway.

Mr. SHEEHAN said his honorable friend seemed to forget that the Provincial Councils were things of the past, and that their unfulfilled promises went for nothing. If the honorable gentleman would bring forward anything like

a fair proposition, similar to the present one, for the benefit of his own district, he (Mr. Sheehan) would not oppose it. In fact, he would rather leave the Government benches than oppose such a motion simply because of its being moved by a member of the Opposition. He thought that the honorable member for Riverton would do well to withdraw his resolution, on the understanding that the Government would give their attention to the matter during the recess. He might say that the Government would consider every case of the same kind during the recess. He trusted that the honorable gentleman would withdraw his motion.

Mr. REID thought the Native Minister was rather too sensitive in regard to the remarks of the honorable member for Marsden. He observed that whenever the honorable member for Marsden rose to speak the Native Minister was not so collected as he usually was, and he generally took the trouble to give the honorable gentleman some useful information regarding himself. With reference to the promise of the honorable gentleman that these things should be inquired into during the recess, he did not think the honorable gentleman fully realized the position the Assembly and the Government would be placed in by this action. The honorable gentleman was literally inviting honorable members to come forward and make claims for reserves of land for the special purpose named in this and other similar resolutions. After the invitation of the honorable member, unless members applied for these reserves they would not be considered to be doing justice to their constituents; and the consequence would be that numerous claims for blocks of land would be made, and, as a matter of fact, if it was not unparliamentary to say so, a huge log would be rolled. He was glad, however, that the honorable gentleman was going to withdraw his motion. There had already been large blocks of land set apart during this sitting for purposes similar to that named in the motion, and he hoped the House was not going any further in that direction.

Mr. HODGKINSON rose for the purpose of withdrawing the motion, but at the same time he felt himself at liberty to express the opinion that the resolution had not been met with that fairness and candour with which similar motions had been met previously. As he had no wish to waste the time of the House, he would ask to be permitted to withdraw his motion.

Motion by leave withdrawn.

#### DR. BULLER.

Mr. FOX, in moving the motion standing in his name, hoped that the members of the Public Petitions Committee would not think he undervalued the services they rendered to the country. The Committee had a great deal of work to do, and it generally did that work in a fair and impartial manner, and saved a large amount of money to the colony. But it was possible that even the highest tribunal might commit an error of judgment, and he thought that the Petitions Committee had done so in this case. He would briefly state the circumstances of the

case. Some years ago Dr. Buller was engaged to assist Dr. Featherston, who was then Native Land Purchase Commissioner, in the negotiations for the purchase of the Manawatu Block, which comprised some 250,000 or 300,000 acres. Dr. Buller proved himself to be a very valuable aide-de-camp to the Commissioner; but he received no salary from the Provincial Government, his travelling allowance was very scanty, and altogether he was placed in a position of great discomfort. The result of the negotiations was that, after three years' labour, the purchase was completed, so far as Dr. Featherston was concerned. Dr. Buller's case was brought before the Provincial Council, the members of which were of opinion that he had a good claim for compensation. It was allowed that Dr. Buller had rendered very efficient service to Dr. Featherston, in consequence of which the Provincial Government got possession of the land. A great deal of the land had since been sold and settled, and the acquisition of it had been very important to this part of the colony. The Provincial Government intended to fully recognize Dr. Buller's services. He received no remuneration from the Provincial Government, and that which he received from the General Government was very small indeed. He gave up his position as a Resident Magistrate in order to deal with this land; but, after all, the Provincial Government did not recognize his services in a proper manner. The matter was brought under the consideration of the Provincial Council. At that time the whole transaction was completed. There were claims put in on behalf of Dr. Featherston, the chief negotiator, which were afterwards satisfied in a liberal manner; but in the case of Dr. Buller the Provincial Government put the matter off to a more convenient season. His claim was strongly supported by the Provincial Executive and by the Provincial Council. The motion against its postponement was lost by one vote. After that, Dr. Buller returned to England, where, instead of enjoying a holiday, he underwent two or three years' hard work, which had no connection whatever with his past services in connection with the Manawatu Block. On his return to this country he brought his claim before the Public Petitions Committee. Owing to his (Mr. Fox's) absence from the colony, he was not able to say whether the case had come before the Public Petitions Committee last year or not. The Committee this session took some evidence in reference to Dr. Buller's claim. He understood that the evidence was partly of a documentary character. It was exceedingly favourable to Dr. Buller, and included high testimonials from the heads of the departments under whom he had served for years, and who knew the value of the work which he had performed. He believed that very warm and emphatic evidence was given by the honorable member for Wairarapa (Mr. Bunny), who was Provincial Treasurer at the time the matter was brought before the Provincial Council. All this evidence was most confirmatory of Dr. Buller's claim, and most commendatory of the course pursued by him. It appeared that Dr. Buller was also very anxious to have some very

important *vidæ voce* evidence given by heads of the departments under which he served, and who could bear testimony to his services. He (Mr. Fox) was informed that the Committee absolutely refused to receive the additional evidence—that, after hearing two witnesses and the documentary evidence, they rejected the evidence of a number of witnesses whom Dr. Buller had within reach, and who, as he believed, would substantiate his case. The Committee then prepared their report. Dr. Buller naturally felt himself aggrieved, and desired that the report might be referred back to the Committee, with instructions to take any further evidence which he might be prepared to offer to it. He thought Dr. Buller had been rather hardly dealt with. No injury could be done by the Committee sitting a couple of days longer to take the *vidæ voce* evidence of those who were within reach of this House, and whose attendance could be easily obtained. What could be the hardship of the Committee reconsidering the case? It was never wise, in his opinion, of any Committee to refuse the fullest possible investigation to the case of suitors who came before them with anything like a *bona fide* case. Of course there would be sometimes cases that were evidently trumped up, and which would not admit of any investigation; but this was not a case of that kind. It was a case in which a public servant had rendered very valuable services, and he (Mr. Fox) spoke from his own personal and close knowledge of those services. The petitioner had rendered very great service especially to the particular part of the country referred to, and from which it was at this moment enjoying very rich fruit. It was a case where every possible facility should be given to the petitioner to bring forward all the evidence he could in his own favour. He thought Dr. Buller had been treated by the Committee in a somewhat cavalier way, and had not received that consideration which a public officer of some twenty-three years' standing should receive—an officer whose services had always met with approbation, who left the service through no fault of his own whatever, and without any censure, but with the best testimony from those under whom he had served as to his abilities and the good services he had rendered. He trusted the honorable members of the Public Petitions Committee would not throw any obstacle in the way of the very reasonable request which, through him, Dr. Buller now made.

Motion made, and question proposed, "That the report of the Public Petitions Committee on the petition of Dr. Buller be referred back to that Committee, with instructions to take further evidence, and to reconsider their late report."—(Mr. Fox.)

Mr. KELLY said that, if the Public Petitions Committee were to have referred back to it all the cases decided against, he thought it would take two years instead of one to dispose of the cases that came before it. With regard to this particular case, the Committee did not desire to offer any obstruction to the motion of the honorable gentleman. It appeared to him (Mr. Kelly) that the petitioner had had ample time to go to the pro-

per quarter, the Provincial Council and Provincial Executive of Wellington, to obtain redress; but he failed to do so. If the case were referred back to the Committee, of course they would take what evidence they thought fit upon it. With this understanding he would not object to the motion.

Mr. SWANSON would not offer the slightest opposition to the adoption of the motion, but he should not like it to be inferred that the Committee had not devoted a good deal of time to this case, or that they had kept several gentlemen waiting at the door and would not listen to them. He recollected that on this particular occasion the Committee had sat from eleven o'clock until a quarter-past two to hear the evidence, part of which was the reading of a pamphlet. There were no persons waiting outside when the Committee adjourned. He did not think it could be said that the Committee did not pay attention to the cases that came before them. He demurred to the statement that the Committee were to hear such evidence as any petitioner might choose to bring forward. If that were permitted they might never get through a single case. Surely there was no necessity for the Committee to go further after it had heard sufficient evidence to confirm or disprove the truth of the statements on the face of a petition. In this case the Committee came to the conclusion that Dr. Buller had been engaged in the purchase of the property, and it was understood that he was to receive £500 as a bonus for what he did if he did it well. Whether the Superintendent had received authority from the Provincial Council to make that promise, and whether the Council ratified it, he could not say; but it was, at all events, contingent on Dr. Buller getting a good and undisputed title to the land. So far from that being the case, there had been any amount of disturbance about the matter since, and many thousand acres had to be given back to the Maoris before anything could be settled. In fact, Committees had been engaged in hearing the claims of these Maoris to the land, and he was not sure that they were all settled now. It could not therefore be said that a good and undisputed title had been obtained, such as those which were always obtained by Mr. Briesenden, although he was so much abused, and declared to be unfit to be a public servant. In this case there had been innumerable disputes, and very nearly a war; and he believed the purchase of this Manawatu Block had led to more correspondence and trouble than the purchase of any other two blocks in the country where actual war did not break out. The Committee had come to the conclusion that Dr. Buller had done service to the colony, but he had been very well paid for it. The House was told that, instead of taking a holiday when he went home to London, Dr. Buller went to work. Was he not paid for that work? It struck him that he was paid handsomely, and was kept at the expense of the colony all the time he was learning to be a lawyer. However, he had no objection to hear everything Dr. Buller and his friends might have to say in favour of his getting the money; and, if it was found to be just, the money ought to be paid.

Mr. Fox

He hoped, however, that the witnesses who, they were told, could be so easily brought down, would be summoned at the petitioner's expense, and not at the expense of the country. That was a principle which he thought ought to be laid down in cases where a Committee had come to a conclusion on what they considered sufficient evidence, and where a petitioner asked for fresh evidence to be taken.

Mr. FOX said the honorable member who had just sat down had been talking in a manner that showed he knew very little of the case—so little that he was astonished that an honorable member who was a member of the Committee did not know more about it. All the honorable member's story about Dr. Buller's negotiations having failed was so much riddle, if he might use the expression. Dr. Buller laboured indefatigably and successfully to obtain the Manawatu Block for the Provincial Government; and the result was that, out of a block of 250,000 acres—after all that had been given back to the Natives and made reserves for them, for which Dr. Buller was in no way responsible—there remained to the province a block of 140,000 acres of very fine land. As regarded Dr. Buller's going Home and receiving a salary as Secretary to the Agent-General, and thereby being very well paid as the honorable member put it, that had nothing whatever to do with this transaction. Whether he had ever been engaged in the purchase of the Manawatu Block or not, Dr. Buller was quite entitled, after seventeen years' service, to leave of absence; and if Dr. Featherston engaged him as Secretary that had nothing to do with the purchase of the block. The two things had no more connection than Tenterden Steeple and the Goodwin Sands. The only question was this: Dr. Buller was promised a certain amount if he completed the purchase of the block, and the Provincial Council did not give him the money. Was he or was he not entitled to receive what was promised to him? He (Mr. Fox) was astonished to hear such a proposal as that of the honorable member for Newton, that Dr. Buller should pay the expenses of any witnesses called by the Committee. If Dr. Buller's petition was referred back to the Committee, it was in order that justice might be done. It happened constantly that witnesses were sent for from all parts of the colony at the request of petitioners, and no demur was made to paying them, although their evidence might not be worth the paper on which it was written. Why, then, should objection be made in this case? This, however, he would say, that Dr. Buller was not so illiberal as to stick to that point, if only he could succeed in clearing his character of the apparent aspersion cast upon it by his not receiving the money which was promised to him.

Question put, "That the motion be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	23
Noes	...	...	...	23
Majority for	...	...	...	1

## AYES.

Major Atkinson,  
Mr. Beetham,  
Mr. Bunny,  
Mr. Button,  
Mr. Curtis,  
Sir R. Douglas,  
Mr. Gibbs,  
Mr. Gisborne,  
Mr. Hunter,  
Mr. Kelly,  
Mr. Lumsden,  
Mr. Ormond,

Mr. Reid,  
Mr. Rowe,  
Captain Russell,  
Mr. Sutton,  
Mr. Swanson,  
Mr. Teschemaker,  
Mr. Travers,  
Mr. Whitaker,  
Mr. Woolcock.

## Tellers.

Mr. Fox,  
Mr. Richmond.

## NOES.

Mr. Baigent,  
Mr. J. E. Brown,  
Mr. Bryce,  
Mr. Burns,  
Mr. De Lautour,  
Mr. Fisher,  
Mr. Hodgkinson,  
Mr. Joyce,  
Mr. Kennedy,  
Mr. Larnach,  
Mr. McLean,  
Mr. Montgomery,

Mr. Murray,  
Mr. Rees,  
Mr. Reynolds,  
Mr. Seaton,  
Mr. Shrimski,  
Mr. Takamoana,  
Mr. Thomson,  
Mr. Tole.

## Tellers.

Mr. Barff,  
Mr. Hialop.

The motion was consequently agreed to.

## L. LETTON.

Mr. REYNOLDS, in moving the motion standing in the name of Mr. Bastings, briefly explained the facts of the case. Mr. McMinnimin, the contractor for the railway from Clinton to the Mataura, failed, and the Engineer in charge of the works advised the workmen employed by the contractor to take action under the Contractors' Debts Act for the recovery of the amounts due to them, stating that there were sufficient funds in the hands of the Government to meet their claims—that was, including the 10 per cent. retained by the Government to meet claims in case the contractor failed to complete his contract. The workmen combined together, and, under the management of Lewis Letton, entered into arrangements with the Government to complete the line at the schedule prices; but it turned out that, through an error on the part of the Public Works Department, the completion of the contract at schedule prices involved a greater cost to the colony than the amount of the original contract. He held that the mistake on the part of the Public Works Department should not deprive the workmen of the 10 per cent., representing something like £1,000 or £1,200, which remained in the hands of the Government at the time of the failure of the original contractor. The Public Petitions Committee had had the petition of the workmen, Lewis Letton and others, before them; and, after going carefully into the case, they brought up the following report:—

"The petitioners state that they were employed by Messrs. McMinnimin and Co., railway contractors; that he failed, being indebted to the workmen some £1,200, of which they recovered only £40. That the Government promised that, if they completed the work at scheduled prices,



the Government would pay the balance. That the works have been so completed, but that the balance due has not been paid by the Government. The petitioners pray for favourable consideration, and an investigation of their claims.

"I am directed to report that, in the opinion of the Committee, the workmen employed by the contractor McMinnimin, who did not receive their pay in consequence of his failure, are entitled to the consideration of the Government; and that the balance of the money for work done in the hands of the Government at the time of his failure should be divided among them in the proportion of their proved claims."

He believed the Committee were unanimous in that conclusion, and he hoped the House would agree to the motion.

Motion made, and question proposed, "That, in the opinion of this House, the Government should take immediate steps to give effect to the recommendation of the Public Petitions Committee in the matter of the petition of Lewis Letton and others."—(Mr. Reynolds.)

Mr. LARNACH said there were funds in the hands of the Government out of which the claims could be paid, and the Government were disposed to give effect to the recommendation of the Committee.

Mr. TRAVERS was glad to hear the honorable gentleman say that the Government were disposed to give effect to the recommendation. A considerable amount of suffering had been caused by the failure of sub-contractors and others, and moneys payable to the original contractor which remained in the hands of the Government ought to be applied, as far as could be, in meeting such claims as the one before the House. A great deal of mischief had resulted from the system of accepting in all cases the lowest tenders for public works. He had reason to believe that the system of accepting tenders which were below the estimates of the Government engineers had led to a large number of insolvencies throughout the colony. If the Government engineers were qualified to make estimates of cost, it was an unsound system, simply because there was great competition, to accept tenders which were below the estimates of the Government engineers. The system ought to be abandoned, because its ultimate result was to throw great loss and suffering upon the labouring-man, who was least able to protect himself. There was an Act in force by which a labouring-man might be protected, but the sub-contracting system had rendered that Act a dead-letter. Attempts had been made to enforce it in several instances, but conflicting judgments had been delivered by the Supreme Court. A judgment was given one way by the late Chief Justice, Sir George Arney, and another judgment was given in the Wellington judicial district, which conflicted with it; but in both instances the labouring-men who sought payment failed in obtaining the moneys they had honestly earned, and which they had lost through the failure of the contractor or the sub-contractor. Some alteration in the law should be made in order to prevent this. There should be some special provision for compelling the pay-

Mr. Reynolds

ment of wages due to labouring-men employed by contractors. No doubt it was a difficult question; but still it was a question of great importance, and one that should be grappled with. He should support the motion, because it involved a sound principle. He did not think the Government ought to profit by the failure of contractors, more especially where they chose to let works at a price manifestly under the cost at which they could properly be carried out.

Motion agreed to.

#### CATLIN'S RIVER TELEGRAPH.

On the motion of Mr. THOMSON, it was ordered, That this House will to-morrow resolve itself into Committee, to consider of an address to His Excellency the Governor, requesting him to cause to be placed on the Supplementary Estimates the sum of £2,000 for the purpose of extending the telegraph to Catlin's River.

#### J. FOLEY.

The adjourned debate was resumed on the question, That, in the opinion of this House, the recommendation contained in the report of the Gold Fields Committee upon the petition of John Foley, of St. Bathans, should be given effect to.

Mr. DE LAUTOUR explained that when the motion first came up it was adjourned in order to enable the Government to obtain information on the subject. He might point out that there was nothing in the report which in any way made it binding on the Government to expend money. The report simply set out the facts upon which the parties claimed assistance. It was a substantial claim, but the report pointed out that there was nothing within the knowledge of the Committee to show in what way such a claim could be met, and it asked the Government, if it did not see its way to meet such claims, to indicate clearly in all such cases what course it would take on the subject of subsidizing arduous undertakings on the gold fields. There was nothing in the report that pledged the Government to a grant of money now or in any future time, and he therefore hoped the report would be adopted.

Mr. SHEEHAN said the Government would offer no objection to the adoption of the report.

Mr. REID did not think the honorable member for Mount Ida had correctly interpreted the tenor of the report, and he was also surprised that the Government had so readily assented to its adoption. He (Mr. Reid) was in charge of the department when the report was brought up, and its consideration was then deferred in order to give him an opportunity to obtain information in regard to it. He left behind him documents which were now in the possession of the Government, which would show how the matter stood; and, from what he knew of the matter, he must say that this was a very reckless way of dealing with the public funds. He understood that by the adoption of the report a sum of £800 would be paid to this company. The paragraph which bore out that opinion was as follows:—

"The Committee have come to the conclusion that the Warden's recommendation is a fair one—viz., 'That the construction of the channel be

subsidized to the extent of eight hundred (£800) pounds for the second mile; payment to be made as each section of 10 chains is completed, at the rate of one hundred (£100) pounds per ten chains.' They therefore adopt it as their recommendation to the Government."

If the Government agreed to that, he did not see how they could possibly avoid the payment of the £800. If the House did not agree to the payment of the £800 it should negative the report. If the claim were a just one he would say, by all means, pay it; but his impression was that there was no good ground for such a claim. There were many statements in the report with which he did not agree. It was true that he was a member of the Committee, but he did not happen to be present when the report was drafted. The position of the matter was this: A company desiring to develop certain supposed auriferous land on the gold fields of Otago applied for and obtained an extended area of land for the purpose of constructing a sludge channel, which would involve a considerable expenditure of capital. There was more than one party prepared to take up the land; but ultimately the land was given to the persons who were now the owners of this claim. An extended area was given to them, and they were prepared to invest their capital on the prospect of having a rich claim. As matters went on, however, it was found that the work involved a larger outlay than was anticipated. Then, he did not quite know how it came about, but, on an application either to the Provincial or to the Colonial Government, the Warden of the district was asked to report on the matter; and he went a little bit out of his way, as he (Mr. Reid) thought, to report that £800 should be paid to this company, as mentioned in the Committee's report. The Warden had simply been asked to inquire into the whole of the circumstances of the case, and to report upon them. If the House was to grant money simply on the recommendation of the Wardens who reside in the districts, and who, naturally, are disposed to make things as pleasant as possible, he could only say that that would be an improper way of disposing of the revenue of the colony. There were plenty of other miners who had equal claims, and who could come and ask to be subsidized in their ordinary avocations with equal justice; and was it right that men who might be more shrewd or far-seeing, or who better understood how these matters could be brought before Parliament, should obtain an advantage? If the House agreed to this motion they would be giving a premium to the petitioners, and would be doing an injustice to other miners who were engaged in developing the resources of the gold fields. He should move the adjournment of the debate. He could not see that these men had a claim at all, because under the regulations it was necessary that the persons engaged in these works should, in the first instance, apply to the Governor and obtain the consent of the Governor to the works proposed. But, inasmuch as this had not been done, he did not see that the petitioners had any claim,

and, beyond that, he believed there were now no moneys available for the purpose. He hoped, therefore, that the Government would agree to postpone the matter until they had time to go further into the subject.

Mr. DE LAUTOUR pointed out to the honorable member for the Taieri that he misapprehended the object in view—it was not to give £800 to these men. The object in view was this: If the Government elected to say it would not propose to bring down any more votes for the purpose of assisting in specially arduous mining enterprises upon the gold fields—and the Committee recognized that there were now no funds—then that intention should be clearly intimated not only at St. Bathans, but on every gold field, so that in future the local bodies might be looked to; but, on the other hand, if the Government intended to keep up that system, then these men had a fair claim. In the last clause of the report the issue was very fairly put to the House. There was no recommendation that £800 should be paid to these men. The simple recommendation was, let the policy of the Government be known to all. There was nothing binding upon the Government, or calling upon them to pay £800. He hoped that the motion for adjournment would be withdrawn, because it was very desirable that the question should be settled.

Mr. TRAVERS said, looking at the report of the Committee, it did not appear that it in any degree met the intention of the Public Works Act. The clauses of the Public Works Act referred to contemplated the existence of a contract for a work which the Governor approved, because the Governor must be satisfied that the undertaking was one which would justify him in charging a portion of the cost upon the public revenues. It was never intended to assist persons who entered upon purely speculative transactions, and then found themselves in a difficulty. The clause provided,—

"The Governor may contract with any person to make, maintain, and work a water-race—(1.) Either by agreeing to pay the contractor a subsidy not exceeding the amount agreed to be expended, and expended by the contractor in construction of such water-race; (2.) Or by agreeing to pay the contractor year by year such sum as shall, together with the net profit of working the water-race, make up 6 per cent. yearly upon the amount agreed to be expended, and expended in the construction thereof."

The Act never contemplated persons making a race as a private speculation, and then, on the speculation turning out to be unremunerative, applying to be recouped in consequence of any loss they may have sustained, or to be aided by a subsidy in the manner suggested by the report of the Committee. He thought the motion of the honorable member for the Taieri a proper one. The matter should receive further consideration, because this clearly was not a case contemplated by the provisions of the Act.

Mr. LARNACH thought, after the explanation of the honorable member for Mount Ida, the motion should be agreed to, and that the honor-

able member for the Taieri should withdraw his amendment.

Mr. REID said he had no objection to withdraw the motion if the Government would undertake to resist any payment of money to these persons.

Mr. DE LAUTOUR was quite willing to accept an assurance of that kind from the Government. It was never intended that the Government should be bound to pay this £800.

Motion for adjournment negatived, and original motion agreed to.

#### TRUST FUNDS.

Mr. STEVENS, in moving the motion standing in his name, said that he had placed the notice on the Order Paper some time since, with two objects in view. One was to obtain what he thought necessary for public information, and the other was to cure what he considered to be a mischief in the management of our Trust Funds. There was now before the House a very important return of the Public Trust Funds; but the House was not at present in possession of any information, so far as he was aware, as to the securities in which these funds were invested; and, although the subject had been brought up by a question put by the honorable member for Totara, it seemed to him that if he called attention to this subject again it would be found rather advantageous than otherwise. He believed it would be found, from the return which he had asked for, that there was considerably over £900,000 of Trust Funds, which were invested in a variety of securities; but the whole of these were securities of the colony. There were two or three exceptions, he believed—some mortgages and bonds of local bodies—but the greater portion of the money was invested in the securities of the colony, including Treasury bills and debentures of different denominations, such as the Defence and General Purposes Loan, and others. But the view he took of the matter was this: He did not think the colony would at any time be unable to meet its engagements; but it might be worth while to consider whether they should not make some perfectly satisfactory arrangement for the protection of the funds that were in trust, more especially considering the magnitude of the amount involved. For instance, there was the Post Office Savings Bank, in which funds were invested to the amount of £720,000 or £780,000. There had been a good deal of discussion, both in the House and in another place, on this point, and there had been two or three proposals made for doing away with any risk in connection with the Post Office Savings Bank funds. He could not say that any of those proposals were to his mind satisfactory. One proposal was that the system which prevailed in Austria should be introduced—namely, to make necessary notice of withdrawal something similar to that required in ordinary banking business, in order to prevent a run upon the funds. He believed the adoption of such a course would materially interfere with the value of the institution. Ever since the establishment of the system in 1866, people had become so accustomed to the privilege of being

able to withdraw their money at call, that any imposition of restraint, such as calling upon people to give notice of the withdrawal, would meet with public disapproval. He would be very sorry to see the colony do otherwise than invest the greater portion of its trust funds in its own securities, because the colony was able to give a much higher rate of interest to depositors than it would be able to give on any other system on the money in the Post Office Savings Banks. At the same time he was strongly of opinion that the colony should make provision for supplying any funds that might be wanted if there happened to be a sudden rush made upon the Trust Funds. As he had made a complaint, he was disposed to take this opportunity of making a suggestion, by way of remedy, to the Colonial Treasurer—namely, that the Trust Funds should be treated separately from all other funds in the hands of the Government, and that special arrangements should be made with the Government banker to provide a good sound proportion of the amount of money placed in the hands of the Government—for the present he thought from £300,000 to £400,000 would be abundant—to meet any sudden demand on those funds. He had tabled the motion with a view of drawing attention to the subject, and with the hope that something would shortly be done by the Government in the direction he had indicated.

Motion made, and question proposed, "That there be laid on the table a return of the securities held against the Public Trust Funds."—*(Mr. Stevens.)*

Mr. LARNACH said that the return asked for was a very important one. Hitherto the House had not been sufficiently vigilant in this direction, but appeared satisfied with the way in which the Trust Funds had been managed. The present Government, however, would have much pleasure in endeavouring to alter this state of things by seriously considering the question, and they would furnish the return asked for at the earliest possible moment. He would point out that it was a very serious thing to invest the whole of the money deposited with the Government in Government securities alone, and it rested with the House to say whether this system should prevail for the future, or whether a certain proportion of the Trust Funds should be invested in the manner suggested by the honorable member for Christchurch City, or in some other legitimate way, and not by lending them to ourselves.

Mr. REES had taken considerable interest in this matter during the last two or three years. In fact, nearly three years ago he communicated with the late Colonial Treasurer, Major Atkinson, on the subject. It seemed to him that the colony was falling into rather a dangerous condition, inasmuch as the Savings Bank funds were being invested in Treasury bills. It occurred to him that if the persons who deposited their money with the Government were suddenly to make a demand for the return of that money, and if the colony were pushed, there would be a great deal of difficulty in raising the amount that would be necessary to satisfy them. He wrote to

*Mr. Larnach*

the late Colonial Treasurer, from whom he received an elaborate reply. He (Mr. Reese) suggested that some of the guaranteed debentures should be placed to the credit of the Trust Funds, because those debentures were always good in the market and could always be realized. Therefore investors could always rely on having some guarantee for their money. The late Colonial Treasurer replied that the Ministry believed the current securities of the colony were ample security, and therefore they could not accept the advice. Since that time the funds had increased, but there was now a very small cash balance in hand. The amount of money invested with the Government by the public was about £882,000, but he believed that out of that amount there was only about £50,000 in the shape of cash in hand, the rest of the money being invested either in the ordinary debentures of the colony, payable at some future date, or in Treasury bills. If, then, the Government were to be called upon suddenly to restore the money to the proper owners, they might not be able to do so. He thought the return asked for by the honorable member for Christchurch City ought to be laid on the table at once. Indeed, he understood it was already prepared. When the return was laid on the table, the honorable member for Christchurch City could bring forward some resolution in relation to the matter, for the purpose of carrying out his views, and then the honorable gentleman would undoubtedly be doing good service to the colony. The Trust Fund concerned a large number of people, and those who had invested their money with the Government might at any moment find themselves compelled to withdraw their funds from the possession of the Government. At present such investors were placed in a very much worse position than any others who had invested in other securities. The House should not allow that state of things to continue. He hoped the House would see that there should always be a sufficiency of cash in hand to meet any ordinary demands which might be made, or, at any rate, securities on which money could be raised at once. The condition of the Trust Fund had for a long time been unsatisfactory, and it was plain that the colony ought, under any circumstances, to be able to maintain its credit in that particular branch.

Motion agreed to.

#### SALE OF SPIRITS TO NATIVES.

Mr. SUTTON, in moving the motion standing in his name, said that several weeks ago he asked the late Government whether it was their intention to bring in a Bill to repeal the Ordinance of 1847 referring to the supply of liquor to the Native people, and, as he did not receive a satisfactory reply, he now put this motion on the Order Paper. There were very few members of the House who had ever seen the extraordinary Ordinance which was passed in 1847. In the part of the country from which he came there were at the present time not more than two copies of that Ordinance. There were no publicans or holders of wholesale licenses for the

sale of liquor who knew exactly what the law was, and in a Hawke's Bay paper which he saw a few days ago he observed that an hotelkeeper had been fined for selling one glass of ale to a Native in contravention of that Act. If it was the intention of the Government to keep such an Ordinance on the Statute Book—an Ordinance which, in his opinion, ought long ago to have been repealed—he thought there ought to be a proper Act, so that hotelkeepers and others who sold liquor should know what it was. He moved the motion standing in his name.

Motion made, and question proposed, "That the Ordinance, No. 3, passed 12th August, 1847, referring to the supply of liquors to the Native race, be reprinted, with a view of distributing the same for public information, and that all holders of publicans' and wholesale licenses throughout the colony shall be supplied with copies."—(Mr. Sutton.)

Captain RUSSELL said it appeared to him that the honorable gentleman who spoke last was not aware that every publican and seller of liquor as well as every other man was supposed to know the law, and that it was no excuse for any person to say that he did not know the law. He (Captain Russell) was sorry that the Ministry of the day had not seen their way to bring in a Bill to repeal the Ordinance referred to. In his opinion it was an extremely important matter that these Ordinances specially referring to the Native race should be got rid of. He thought the time had come when an attempt should be made to amalgamate the two races. He thought they should not keep Ordinances on the Statute Book which made a difference between the two races. If any honorable member took the trouble to read the Ordinance he must see that it was absolutely inoperative. As a matter of fact, no honorable member of the Native race had a right to get a glass of beer at Bellamy's. He believed that any waiter at Bellamy's who supplied a Native member with a glass of beer, or even a glass of shandygaff, was liable to a penalty of £10. The Ordinance went even further than that. It provided that if anybody asked a Native to have a glass of fermented liquor he was liable to a penalty for so doing. Everybody must recognize the fact that the law was inoperative. In no part of the North Island where he had ever been was there the slightest difficulty in the way of the Natives obtaining liquor. It must be patent to everybody that to have a law on the Statute Book which was openly defied in every possible direction could only result in harm. It must teach their Maori fellow-subjects to have a disrespect for the law instead of a respect for it, which was one of the first duties of the Assembly to endeavour to inculcate in their minds. He saw by the 5th clause of the Act it was stated,—

"It shall be lawful for the Governor from time to time to modify or alter or suspend the operations of any of the provisions of this Ordinance which it may appear to him, from the state of Native feeling on the subject or otherwise, to be impracticable or inexpedient to carry into immediate operation, and to substitute for any provision which may be so suspended any other provi-

sion or provisions better adapted to give effect to the purposes of this Ordinance, and to secure the concurrence of the Native inhabitants of the colony therein."

If his colleague had moved that the Governor should be respectfully requested to suspend the operation of this Act throughout the whole of the colony it would have been a more sensible motion than that which he had now brought before the House. He (Captain Russell) was as anxious as anybody could be to assist by every means in his power to stop the spread of drunkenness amongst the Native population; but the keeping of this Ordinance on the Statute Book did not tend in that direction. If it did anything it tended to increase drunkenness, inasmuch as the timid dealer might be afraid to sell liquor to the Natives, while more unscrupulous or bolder publicans would be willing to do so. He knew that the Natives could get liquor in any quantity, and that they would take it to their pas, instead of drinking it openly in the hotel, as the Europeans did. He had known the Natives of a whole pa to be drunk at one time from liquor purchased wholesale. He thought it was a great mistake to keep any Ordinance on the Statute Book, which was absolutely inoperative; and for that reason it was his intention, when the proper time came, to move for leave to bring in a Bill to repeal the existing Act, and to regulate the sale of intoxicating liquors to persons of the Native race. He would like to hear what the Native Minister had to say on the subject, when perhaps the necessity for his bringing forward such a motion would be obviated.

Mr. SHEEHAN had no objection to the resolution, provided all the words after the word "reprinted" were struck out. He did not see why the Government should be called upon to supply copies of the Act to publicans any more than to other persons. The Ordinance might be reprinted, and sold to the public as other Acts were, and then those gentlemen might provide themselves with copies in the ordinary way. He was not prepared to admit that the Ordinance referred to was a disgraceful one, and one which ought not to be on the Statute Book. He thought it was a wise Ordinance at the time it was passed, and if it had been properly enforced it would have been a good thing for both races. The principal curse to the Native people was their consumption of ardent spirits; and if they were to preserve the Native race, and work hand-in-hand with them in the progress of this colony, they should take some steps to prevent them indulging in the unfettered drinking of intoxicating spirits. He did not say that the law was in a satisfactory condition, but honorable members seemed to overlook the fact that this was not the only law in force on this subject. There existed on the Statute Book "The Outlying Districts Sale of Spirits Act, 1870," which had been brought into force in several parts of the North Island. He would point out that at present the Natives could get liquor in one place and not in another. They could cross an imaginary boundary-line and drink themselves full, though, if they obtained one glass of wine on the other side

*Captain Russell*

of that boundary-line, it was an offence against the law, and punishment would ensue. Whilst it was not desirable to retain the Ordinance in its present position, they would be acting unwisely in wholly removing the restriction. What would be a fair solution of the difficulty, and one that was asked for by the great body of the Native people, would be to give them a power similar to what was given to Europeans under the Permissive Bill, and similar to that asked for under the Local Option Bill—the power of excluding the use of spirits within their own districts. If the honorable member for Napier (Captain Russell) desired to bring in a Bill, it should be a measure going in the direction of giving the Native people the power of prohibiting the use of intoxicating liquors in their own districts. Those who had lived any time among a Maori population would know that a great moral benefit would result from such a power of prohibition. The great evil did not arise so much from the drinking of intoxicating liquors in the European towns as from the quantity which the Natives carried back with them to their settlements and consumed there. They brought large quantities of liquor with them, and their orgies were sometimes of two or three weeks' duration. If the law were so altered as to give the Natives a voice in saying that the use of intoxicating liquors should be prohibited in the Native settlements, he believed that two-thirds of the Native people would come forward voluntarily and ask that such a law should be put into force in their respective districts, so as to enable them to prohibit the importation and consumption of ardent spirits, except for medicinal purposes, within their limits. That being done, he thought the House would have accomplished all that possibly could be done. If they attempted to enforce the law as it now stood throughout the colony, they would be doing a gross injustice and hardship. It had been allowed to remain a dead-letter for the last twenty years, and had become inoperative. It would be very difficult to secure a conviction under the existing Ordinance. He had intended to bring in a Bill this session in the direction indicated, and he did not say that he should not do so. He would be glad if the honorable member for Napier (Captain Russell) would consult with him upon the subject, and, if the honorable gentleman's views were in harmony with his own, he would draft a Bill to carry out the object desired—namely, the granting to the Native people the power of preventing the importation and use of ardent spirits in purely Native districts.

Captain RUSSELL would be very happy to adopt the suggestion of the Hon. the Native Minister. He would not bring forward a motion asking leave to introduce a Bill, as he had no desire to do anything except to put the law into a proper shape.

Mr. SUTTON cordially agreed with the Native Minister in his view as to the direction legislation should take on the subject. Such a measure as the honorable member had indicated would be valuable to the Natives, and remove a very great deal of misunderstanding and hard-

ship. He had no objection to the omission of all the words after the word "reprinted."

Motion as amended agreed to.

#### LIBRARY.

Mr. REYNOLDS, in moving the motion standing in his name—"That the finances of the colony do not justify any expenditure, this session, on the Parliamentary Library"—said he had been induced to put this motion on the Order Paper some time ago in consequence of an answer to a question given by the late Government that it was their intention to bring down a vote for the erection of a new library building. When they were proposing to raise fresh taxation, and when they knew that their finances were not in the most flourishing condition, this was not the time to expend money in public buildings that were unnecessary. The library attached to the House was quite good enough for the requirements of Parliament. Of course it might be said that the library was not quite so safe against fire as if the building were erected of fireproof material, either brick or concrete; but they ought to study the question from the financial point of view. They should ask themselves whether they could afford those luxuries. Honorable members must admit that they could not afford them at the present time; and therefore they ought to do without them, and run the risk—if there was any great risk—as to fire.

The hour of half-past five having arrived, the ACTING-SPEAKER left the chair.

#### HOUSE RESUMED.

The ACTING-SPEAKER took the chair at half-past seven o'clock.

#### NATIVE MARRIAGES BILL.

Mr. TAIAROA, in moving the second reading of this Bill, said he had brought it forward with the view of validating certain marriages between persons of the Native race. It was said that those marriages were at present invalid which had not been celebrated by clergymen. He would not go into the details of the Bill, but would content himself with moving the second reading.

Mr. WHITAKER said the Bill appeared to him to go further than the honorable gentleman perhaps meant it to go. As far as the validation of future marriages was concerned, he thought there should be no difficulty whatever about that; but it appeared to him that the Bill would have the effect of validating marriages which had taken place years ago, and great confusion would thus be caused in those cases where Native women had disposed of property. He would not oppose the second reading of the Bill, as he understood that it was not to be committed that night; but when in Committee he would move that a clause be inserted which should provide that the Bill would have no effect at all on property which had been already disposed of. This Bill was retrospective in its character, and therefore it would be dangerous. As a rule he was opposed to all retrospective Bills. He could see no objection to legalizing Native marriages in the future, but he could see great objection to validating marriages

which had taken place many years ago, and thus invalidating titles which were now good.

Mr. STOUT could not understand why there should be any objection to this Bill, but if there were any objection to it he thought the House should be informed as to what it was. It seemed to him to be a very harmless measure. Clause 3 said,—

"Every marriage heretofore celebrated between Natives, where the marriage ceremony shall have been performed by any person who at the time was duly authorized by law to celebrate marriages, shall be deemed and taken to be, and to have been from the time such ceremony was performed, valid and binding, notwithstanding that any other requirements of the marriage laws then in force may not have been complied with."

He could not see what objection there could be to validate a marriage which had been performed by an officer of the Government. Could it be said for a moment that, because the officer of the Government, or the clergyman, might not have complied amongst the Natives with some technical requirement of our marriage law, the marriage was invalid, and the children illegitimate? Red-tape was all very well in its way, but it should not be carried to this extreme. As far as it affected the rights of children, what did that amount to? It only meant that at the death of the parents the children should inherit any property that was left.

Mr. WHITAKER would state a case. Suppose a woman sold any property when the actual requirements of the marriage law had not been strictly complied with.

Mr. STOUT said that would not matter so long as her husband assented.

Mr. WHITAKER would like to know what would happen if the assent of the husband had not been given.

Mr. STOUT said it would make no difference if the husband had got the consideration-money. The provision that the children should be deprived of their rights should only be made to refer to those cases in which the person who dealt with the woman knew her to be unmarried. But nothing of the sort should take place when those persons did not know that the ceremony had not been performed. Where the persons who dealt with the woman were ignorant on this point, it would be most unfair to step in and deprive the children of their property. He agreed that a proviso ought to be inserted in the Bill to the effect that, where a person had dealt without the knowledge that the woman with whom he was dealing was married, the rights of the children might be interfered with, but that where there was that knowledge the rights should not be taken away.

Mr. SHEEHAN said the proposal of the honorable member for Waikato was one that could be entertained and discussed in Committee. He objected to the clause referred to, and he hoped the honorable member in charge of the Bill would see his way to withdraw it, as it asked too much. The only point was that by the neglect or ignorance of the person appointed to celebrate marriages between Natives a technical defect

might take place, and it might be said that the persons were not lawfully married. However, the question raised could be discussed in Committee, and the Bill might now be read a second time without further debate.

Mr. SUTTON thought the Bill objectionable, as it might bring about a state of things not at all desirable. There was a Registrar in almost every town, and the Natives had no more trouble than other persons in obtaining marriage licenses. He objected to the Bill on the ground that it was retrospective; and, so far as futurity was concerned, he would not give to those persons who were married according to Native customs the same right to property as if they were married according to European customs. It would be the duty of the duly-authorized person to perform the marriage ceremony between persons of the Native race according to the English law, but he knew of clergymen who had not done so. They should leave the question of the right to property to be settled in the same way and under the same law as such questions were settled between Europeans.

Mr. TRAVERS said that the question raised by the honorable member for Waikato was whether, in cases where such marriages were treated as void by the parties to them, the Bill might not affect land transactions carried out by such persons since the date of the marriage. He apprehended that his honorable friend wished to guard against the inconvenience arising from the validation of a marriage *ab initio* which the persons might have chosen to treat as absolutely void when dealing with their property.

Bill read a second time.

#### LOCAL OPTION BILL.

This Bill was further considered in Committee.

Mr. REES moved, That the Chairman leave the chair.

Question put, "That the Chairman do now leave the chair;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	20
Noes	...	...	...	...	23

Majority against	...	...	...	...	3
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#### AYES.

Mr. Ballance,	Mr. Rowe,
Mr. Barff,	Mr. Seymour,
Mr. Dignan,	Mr. Stevens,
Mr. Fisher,	Mr. Sutton,
Mr. Fitzroy,	Mr. Teschemaker,
Dr. Henry,	Mr. Tole,
Mr. Hodgkinson,	Mr. W. Wood.
Mr. Joyce,	
Mr. Kennedy,	
Mr. O'Rorke,	
Mr. Richardson,	

#### Tellers.

Mr. Rees,
Mr. Seaton.

#### NOES.

Mr. Bowen,	Mr. Murray-Aynsley,
Mr. J. C. Brown,	Mr. Ormond,
Mr. Button,	Mr. Reid,
Mr. De Lautour,	Captain Russell,
Mr. Gibbs,	Mr. Shrimaki,

Mr. Sheehan

Sir G. Grey,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Lumsden,  
Mr. McLean,  
Mr. Montgomery,  
Mr. Murray,

Mr. Swanson,  
Mr. Takamoana,  
Mr. Whitaker,  
Mr. Woolcock.  
*Tellers.*  
Mr. Fox,  
Mr. Stout.

The motion was consequently negatived.

Clause 18.—Payment of expenses.

Mr. SWANSON moved, That, in the words "shall be paid out of the fees payable for publicans' and other licenses," the words "the fees payable for publicans' and other licenses" be struck out, with a view to inserting the words, "local rates, if the prohibitory clauses are put in force, but, if the prohibitory clauses are not put in force, the expenses shall be defrayed by the defeated party."

Question put, "That the words proposed to be left out stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	23

Majority against	...	...	...	...	5
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#### AYES.

Mr. J. O. Brown,	Mr. Ormond,
Mr. J. E. Brown,	Mr. Reid,
Mr. Button,	Captain Russell,
Mr. De Lautour,	Mr. Shrimski,
Mr. Hunter,	Mr. Thomson,
Mr. Hursthouse,	Mr. Woolcock.
Mr. Larnach,	
Mr. Lumsden,	
Mr. McLean,	
Mr. Murray,	

#### Tellers.

Mr. Fox,
Mr. Stout.

#### NOES.

Mr. Ballance,	Mr. Murray-Aynsley,
Mr. Barff,	Mr. Rees,
Mr. Dignan,	Mr. Rowe,
Mr. Fisher,	Mr. Seaton,
Mr. Fitzroy,	Mr. Seymour,
Mr. Hamlin,	Mr. Shrimski,
Dr. Henry,	Mr. Stevens,
Mr. Hodgkinson,	Mr. Swanson,
Mr. Joyce,	Mr. Teschemaker,
Mr. Kelly,	Mr. Tole.
Mr. Kennedy,	
Mr. Montgomery,	

#### Tellers.

Mr. Gibbs,
Mr. Sutton.

The words were consequently struck out, and the amendment agreed to.

Clause 22.—Vote against particular licenses.

Mr. KENNEDY moved, That the word "persons" be omitted, with a view to insert the word "ratepayer" in lieu thereof.

Question put, "That the word proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	20
Noes	...	...	...	...	18

Majority for	...	...	...	...	2
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## AYES.

Mr. J. C. Brown,	Mr. Murray,
Mr. J. E. Brown,	Mr. Ormond,
Mr. Button,	Mr. Rees,
Mr. De Lantour,	Mr. Reid,
Mr. Hodgkinson,	Captain Russell,
Mr. Hunter,	Mr. Thomson,
Mr. Hursthouse,	Mr. Woolcock.
Mr. Larnach,	
Mr. Lumsden,	<i>Tellers.</i>
Mr. McLean,	Mr. Fox,
Mr. Montgomery,	Mr. Stout.

## NOES.

Mr. Ballance,	Mr. Seaton,
Mr. Barff,	Mr. Seymour,
Mr. Dignan,	Mr. Stevens,
Mr. Fisher,	Mr. Swanson,
Mr. Fitzroy,	Mr. Techemaker,
Mr. Hamlin,	Mr. Tole.
Mr. Joyce,	
Mr. Kennedy,	<i>Tellers.</i>
Mr. Murray-Aynaley,	Mr. Gibbs,
Mr. Rowe,	Mr. Sutton.

The amendment was consequently negatived.

New clause.—Compensation.

Mr. BALLANCE moved the insertion of the following new clause:—"The owner of, and every other person having any beneficial interest in, any publichouse for which a license shall have been granted previous to the passing of this Act the license for which be taken away or be abolished under the provisions of this Act, shall be entitled to full compensation for all loss which he or they may sustain by the exercise of the prohibitory clauses of this Act; and it shall be the duty of the Licensing Court to cause such compensation to be assessed in such manner as such Court shall think reasonable; and, before any license shall be taken away or abolished under the provisions of this Act, the persons promoting the proceedings under section sixteen of this Act shall give security to the satisfaction of the Court for the payment of such compensation."

Question put, "That the clause be read a second time;" upon which a division was called for, with the following result:—

Ayes	...	...	...	28
Noes	...	...	...	16
Majority for	...	...	...	12

## AYES.

Mr. Barff,	Mr. Murray-Aynaley,
Mr. Bowen,	Mr. O'Rorke,
Mr. J. E. Brown,	Mr. Rees,
Mr. Dignan,	Mr. Rowe,
Mr. Fitzroy,	Captain Russell,
Sir G. Grey,	Mr. Seaton,
Mr. Harper,	Mr. Seymour,
Dr. Henry,	Mr. Stevens,
Mr. Hodgkinson,	Mr. Swanson,
Mr. Joyce,	Mr. Techemaker,
Mr. Kelly,	Mr. Tole.
Mr. Kennedy,	
Mr. Larnach,	<i>Tellers.</i>
Mr. Lusk,	Mr. Ballance,
Mr. Montgomery,	Mr. Sutton.

## NOES.

Mr. Button,	Mr. Reid,
Mr. De Lantour,	Mr. Shrimski,
Mr. Hamlin,	Mr. Thomson,
Mr. Hunter,	Mr. Wakefield,
Mr. Hursthouse,	Mr. Woolcock.
Mr. Lumsden,	
Mr. McLean,	<i>Tellers.</i>
Mr. Murray,	Mr. Fox,
Mr. Ormond,	Mr. Stout.

The clause was consequently read a second time.

Question put, "That the clause be added to the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	31
Noes	...	...	...	14
Majority for	...	...	...	7

## AYES.

Mr. Barff,	Mr. O'Rorke,
Mr. Bowen,	Mr. Rowe,
Mr. J. E. Brown,	Mr. Seaton,
Mr. Dignan,	Mr. Seymour,
Mr. Fitzroy,	Mr. Stevens,
Mr. Harper,	Mr. Swanson,
Dr. Henry,	Mr. Techemaker,
Mr. Hodgkinson,	Mr. Tole.
Mr. Joyce,	<i>Tellers.</i>
Mr. Kelly,	Mr. Ballance,
Mr. Kennedy,	Mr. Sutton.

## NOES.

Mr. Button,	Mr. Reid,
Mr. De Lantour,	Mr. Thomson,
Mr. Hamlin,	Mr. Wakefield,
Mr. Larnach,	Mr. Woolcock.
Mr. Lumsden,	
Mr. Macfarlane,	<i>Tellers.</i>
Mr. McLean,	Mr. Fox,
Mr. Montgomery,	Mr. Stout.

The clause was consequently agreed to.

Progress was reported, and leave given to sit again.

The House adjourned at one o'clock a.m.

## LEGISLATIVE COUNCIL.

Thursday, 8th November, 1877.

First Readings—Second Reading—Third Readings—Education Reserves Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

## PRAYERS.

## FIRST READINGS.

Crown Redress Bill (No. 1), Canterbury Rivers Bill, Christchurch City Reserves Bill, Thames Water Supply Bill.

## SECOND READING.

Wyndham Recreation Reserve Bill.



## THIRD READINGS.

Havelock Commonage Bill, Dunedin Gaol Street Bill, Special Contracts Confirmation Bill, Slaughterhouses Bill.

## EDUCATION RESERVES BILL.

This Bill was further considered in Committee.

Clause 4.—Apportionment of education reserves for purposes of primary and secondary education.

The Hon. Mr. MENZIES moved, That the word "one-fourth" be omitted, for the purpose of inserting "one-eighth."

Question put, "That the word proposed to be omitted do stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	6
Noes	...	...	...	...	17
<hr/>					
Majority against	...	...	...	...	11

## AYES.

Captain Fraser,	Mr. Paterson,
Mr. Holmes,	Sir J. L. C. Richardson,
Mr. Miller,	Colonel Whitmore.

## NOES.

Captain Baillie,	Mr. Lahmann,
Colonel Brett,	Mr. Menzies,
Mr. Chamberlin,	Mr. Nurse,
Mr. Edwards,	Mr. Peacock,
Dr. Grace,	Mr. Pharazyn,
Mr. Hart,	Mr. Robinson,
Mr. G. R. Johnson,	Mr. Russell,
Mr. J. Johnston,	Mr. Williamson.
Lieut.-Colonel Kenny,	

The word "one-fourth" was consequently struck out.

The Hon. Sir J. L. C. RICHARDSON moved, That the word "one-sixth" be inserted.

Question put, "That the word 'one-eighth,' proposed to be omitted for the purpose of inserting 'one-sixth,' do stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	7
<hr/>					
Majority for	...	...	...	...	9

## AYES.

Colonel Brett,	Mr. Lahmann,
Mr. Chamberlin,	Mr. Menzies,
Mr. Edwards,	Mr. Nurse,
Dr. Grace,	Mr. Peacock,
Mr. Hart,	Mr. Pharazyn,
Mr. G. R. Johnson,	Mr. Robinson,
Mr. J. Johnston,	Mr. Russell,
Lieut.-Colonel Kenny,	Colonel Whitmore.

## NOES.

Captain Baillie,	Mr. Paterson,
Captain Fraser,	Sir J. L. C. Richardson,
Mr. Holmes,	Mr. Williamson.
Mr. Miller,	

The amendment was consequently agreed to,  
*Mr. Ballance*

the word "one-eighth" inserted, and the clause as amended agreed to.

Clause 14.—Power to lease lands.

The Hon. Captain FRASER moved, That the words "or public tender" be omitted.

Question put, "That the words proposed to be omitted do stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	6
<hr/>					
Majority for	...	...	...	...	6

## AYES.

Mr. Edwards,	Mr. Miller,
Mr. Hart,	Mr. Peacock,
Mr. G. R. Johnson,	Mr. Pharazyn,
Lieut.-Colonel Kenny,	Sir J. L. C. Richardson,
Mr. Lahmann,	Mr. Russell,
Mr. Menzies,	Colonel Whitmore.

## NOES.

Mr. Chamberlin,	Mr. Paterson,
Captain Fraser,	Dr. Pollen,
Mr. Holmes,	Mr. Williamson.

The amendment was consequently negatived.

Progress was reported, and leave given to sit again.

The Council adjourned at five minutes past nine o'clock.

## HOUSE OF REPRESENTATIVES.

Thursday, 8th November, 1877.

Adjournment—Kyeburn Hundred—Mangahoe Fishing Rights—Featherston and Masterton Railway—Paris Exhibition—Want of Confidence—Privilege—Want of Confidence.

Mr. SPEAKER took the chair at half-past two o'clock.

## PRAYERS.

## ADJOURNMENT.

Sir G. GREY.—I move, as to-morrow will be the Prince of Wales's birthday and a public holiday, That the House, at its rising, do adjourn to half-past two o'clock on Monday.

Major ATKINSON.—I trust honorable members will not agree to the proposition, as there is very important business before the House. No doubt there are many honorable members who desire to treat the majority of this House with contempt and disrespect, but the House will not be found to submit to such treatment. In addition to the other notices on the Paper, I have one of very great importance, and I am sure it will meet with the approval of a considerable majority that we should sit to-morrow, and continue business on Saturday, if necessary, so as to get through with it.

Mr. STOUT.—I can hardly understand the opposition of the honorable member for Egmont to the proposal for adjournment, as it is in all cases usual to adjourn on such a day as the

Prince of Wales's birthday. The honorable member says there is a great deal of private business on the Order Paper, but he has lately shown a great deal of obstructiveness to the carrying on of that business. If the honorable gentleman and those who act with him had really desired to forward the business of the House, it might by this time have been prorogued. What the honorable gentleman's object is I cannot say. I am sure it cannot be for the purpose of getting into office again, for there is not the faintest hope of his doing so. The honorable gentleman says he has an important notice on the Paper, and I presume that is the motion in regard to want of confidence. I do not think that motion is of much importance. I apprehend that the reason why the honorable gentleman gave notice of it is a very reasonable one. He was debarred the other day from having his reply as mover of the last vote of want of confidence, and, having lost his right, he has taken a course which is usual, and has given notice of another motion, in order that he may have an opportunity of making his speech. It cannot mean anything else. I do not wonder at the honorable gentleman being anxious to get a reply, for we saw that there was nobody on his side of the House who could say anything in his behalf, and he was left alone. The division came on more suddenly than was expected, and the honorable member for Wai-kouaiti could not get out his financial statement. I noticed that he received a number of slips from his friends around him, but he did not seem to know what to do with them; and I can therefore very well understand the honorable member for Egmont and his friends wishing to make further statements. That is a very proper thing for him to do in his position towards the country. There are actually some people who say that there was indecent haste in the honorable gentleman's desire to get back into office. He no doubt wishes to reply to that. Then there is a statement, which I can hardly credit, that there are certain honorable gentlemen, who only a short time ago said they had no confidence in the honorable member for Egmont, and could not trust him, in the present critical position of the colony, with the charge of the finances, yet who are actually going to vote with him now. He will, no doubt, have to enlarge at some considerable length upon that subject, and that in itself will probably make that motion an important one in his eyes. Then there were other members—for example, the honorable member for the Taieri and the honorable member for Avon—who did not address the House, and who will, no doubt, wish to do so. I feel sure that anything the honorable member for Avon has to say will be listened to with great respect, because he has always protested against a continuous Ministry, and against the idea that there was only one class of men in the colony who were competent to rule. He has always held that there were sufficient honorable members of ability in the House, outside of the Government, who could form a Ministry, and I have no doubt the honorable gentleman still holds that opinion, and will take this opportunity of explaining it, or state what was the cause of his sudden

change of views in regard to the question. I feel certain the honorable gentleman, when he addresses the House, will be able to explain what principles should guide honorable members in reference to their political conduct—namely, whether there should be adherence to party ties and principles, or whether honorable members should be guided simply by personal feelings and, perhaps, personal animosity having no relation whatever to political matters. I have no doubt the honorable member for Avon, when he addresses the House, will be able to explain his conduct in a way that will satisfy this House and the public outside. I feel sure, also, that rumours which have been circulated in the lobbies with regard to cards being handed about with the names of certain honorable members on them as those who are to form a Ministry are not true. I am sure the honorable member for Avon will say that it is not true that he is to be a leader in the assault upon the Treasury benches, and I am certain the honorable members for Nelson City have not all assented to it; or, if it be true that their names are on those cards, they have been put there without their consent. They would not for one moment allow their names to be abused in such a manner, because there are people outside who criticise our actions, and they might make accusations which those honorable members might not feel it pleasant to listen to. As the honorable member for Egmont has stated that this motion of his is important, I should like to know in what its importance lies. So far as Parliamentary precedent goes, I am sure he will not find one for a motion of this kind being given the very day after a vote of want of confidence has been decided. Those who saw the agitated state of mind in which certain honorable gentlemen and the honorable member for Egmont were yesterday must have sympathized with them. They had made up their minds that they would succeed, and, being defeated, they felt very much put out; but that is no reason why they should seek to obstruct business. I am sure the honorable member only aims at serving his country, and therefore cannot suppose that this Parliament is so devoid of men of ability and influence that there are none in it but himself and his followers who can guide the affairs of the country. He cannot suppose that some dire calamity will follow if he cannot get back on those seats, and act in the manner so well described by the honorable member for Totara as servile in the session and defiant in the recess. I am sure that the honorable member for Totara would never by his vote aid the honorable member for Egmont and his late colleagues to get back on the Treasury benches. I hope the honorable member for Egmont will act on this occasion as he has done on many others when an adjournment has been proposed. For example, this very week an adjournment was proposed, and he at once jumped up and opposed it; but the honorable member for Wellington City immediately afterwards said the adjournment might be agreed to, and then the honorable member for Egmont acquiesced. That shows a very conciliatory spirit, and I feel certain the honorable gentleman was not at all afraid that he

might lose the vote of the honorable member for Wellington City if he went against him in the matter of adjournment. The honorable member for Wellington City is not present now, but I have said all I could to induce the honorable member for Egmont to agree to the adjournment, and I have no doubt that he will act in the same conciliatory spirit on the present occasion, and withdraw all opposition. I hope the honorable gentleman will do that, and set an example to the House, by showing that no ill-feeling exists and that party spirit has no place here. I hope he will get up and say, "I was in error in opposing the adjournment. I have consulted with the honorable member for Avon, and we will withdraw all opposition."

Mr. ROLLESTON.—Some days ago the House was asked to adjourn, with the view of receiving, through Ministers, or through any other source by which it might come, an expression of His Excellency's intention with regard to the resolution relating to its privileges which was passed by this House. That was a resolution which a certain portion of this House declined, for very good reasons as I thought, to express any opinion upon at all; and we were asked to adjourn until the question, which was evidently viewed by the Government, and by a considerable section of the House, as one of the utmost urgency, should be settled. The question was said to be of the greatest importance to the country and to the House, and no business was to be taken until it was disposed of. Contrary to our expectations, that question did not come on, and, as we know, a division took place which was entirely unexpected. Now we are asked to adjourn again. What for? Not to await His Excellency's answer to the resolution forwarded to him by this House. That seems to have lost its urgency altogether, and I think we should be told what its position now is. We have a right to know that before we adjourn into next week.

Sir G. GREY.—Perhaps I may be allowed to state that I think it probable His Excellency's answer may be placed before the House to-night.

Mr. REES.—The House expected a treat from the honorable member for Avon, and it has been disappointed. The honorable member for Dunedin City asked the honorable gentleman if he was aware that his name was being used as one of a new Ministry. The stars in their courses having fought against the honorable gentleman on the last occasion, and the defeat of the present Ministry being thought to be imminent, a new Ministry is to be formed, in which the honorable gentleman is to take a prominent part. Everybody expected the honorable gentleman to disclaim having allowed his name to be used in this way. That gentleman, among others, had, up to a recent period, a name which was well known and much respected in political circles in New Zealand. So far as I have heard, his political reputation was unblemished, and when you came to prick out the position of the members of this Assembly on the political chart you always knew where to place him. But I am afraid you can do that no longer. He spoke and voted against the honorable member for Egmont as Premier.

*Mr. Stout*

He stated solemnly that that honorable member was no longer fit to be intrusted with the task of administering the affairs of New Zealand. Yet within a week of giving that solemn promise he absolutely and literally bound himself to follow that honorable gentleman on to the Ministerial benches; and ever since the honorable member for Egmont has done nothing but evince indecent haste to get into office.

Mr. McLEAN.—Are these statements relevant to the question of adjournment?

Mr. SPEAKER.—No doubt the discussion has travelled beyond the question immediately before the House; but that naturally arises out of the statement of the honorable member for Egmont, who referred to the importance of his motion as a reason why the House should not adjourn till Monday. I am not disputing the propriety of that view; but, at the same time, when an important motion is brought into the discussion by references such as those of the honorable member for Egmont, it is fairly open to be criticised. Hence it is that we have got into a discussion that is growing wider and wider. I do not know where to stop it. I can only hope that honorable members will confine their remarks as much as possible to the question of adjournment.

Mr. REES.—Inconsistency in its public men in this Assembly must at all times be the subject of comment, and when the leader of a party objects to this House adjourning on the birthday of the Queen's son on account of the existence of a motion the effect of which is to place in power certain gentlemen with whom the name of the honorable gentleman is linked, I think we are justified in commenting upon that.

Mr. McLEAN.—I rise to a point of order. The honorable gentleman surely cannot discuss matters which are so entirely irrelevant to the motion before the House.

Mr. SPEAKER.—I thought I had made myself clear upon that point. I have already said that irrelevant matters had been introduced, and that I did not know where to stop their introduction. I cannot rule the honorable gentleman out of order if he disregards the ruling I have given.

Sir G. GREY.—I think, Sir, some latitude should be allowed in a discussion in which the honorable member for Egmont has accused me of defying the House.

Major ATKINSON.—No. 8 will settle that.

Mr. SPEAKER.—If members of the House will bandy offensive words one against another I cannot put a stop to it. The House must itself interpose. I do think the remark made by the honorable member for Egmont has given a latitude which every honorable member has a right to claim. If accusations are made, they will of course be replied to in one form or another; and when I am called upon to call one honorable member to order I must remind other honorable members that if they will throw stones they must expect stones to be thrown at them in return. The honorable member for Egmont has done this. Now, I ask the House to pause before it arrives at such a state of animosity that it will be impossible for me to restrain the feelings of the

House. I hope the House will not consider these remarks uncalled for.

Sir G. GREY.—I rise to a point of order. While you were speaking, Sir, the honorable member for Egmont made a most insulting and improper remark to me across the House.

Major ATKINSON.—I made no insulting remark. I said, "No. 3 would settle that."

Sir G. GREY.—I consider that a most improper remark.

Mr. SPEAKER.—It is just as well that we should understand where we are. I do not desire to hear any of these aside remarks; but I must say that I consider the remark of the honorable member for Egmont exceedingly unparliamentary and improper. If the House does not think it its duty to support the Speaker it had better say so. The House may depend upon it that I do not desire to occupy this seat without its support, and I now inform the House that the remark of the honorable member for Egmont was exceedingly improper.

Mr. BARFF.—The statement made by you, Sir, must appeal to the feelings of all members of this House. There may be a few turbulent spirits present; but I believe three-fourths of the House will support you in your ruling, and you may feel thoroughly convinced that it is satisfactory to the House.

Mr. W. WOOD.—While I say, Sir, that the House generally supports you loyally in the difficult position you fill, I also think that it will become necessary to make better provision to restrain certain honorable gentlemen who lately occupied prominent positions in this House, and compel them to abide by your ruling. I should like to know whether it is too late to take any steps in regard to a circumstance which occurred in the House a few days ago. I mean, when certain honorable members of the House defied your ruling.

Mr. SPEAKER.—That is not the question now. I may state at this time that the Speaker is armed with sufficient power to resist those who defy him, and the present Speaker is determined to wield that power if necessary. It is well that I should state now that I shall not continue to occupy this position if I am to be defied while I am performing my duties to the best of my ability. I am now speaking in the interests of parliamentary government, and I hope the House will take in good part what I have said.

Mr. REES.—When I was interrupted I was about to say that the honorable member for Egmont has distinctly stated, as a ground why the House should not adjourn, that his motion to the effect that the House has now no confidence in the Government was on the Order Paper; and, when he was greeted with derisive cries of "Hear, hear," from certain honorable gentlemen, he taunted those honorable members with paying no respect to the House. I should like to ask who it is that the honorable member for Dunedin City, and others who cried out, do not respect. You can hardly be called upon to respect persons who act as some honorable members of this House have acted. The motion for the adjournment is a reasonable one. The House is not in the habit

of sitting on holidays, though I believe that last session we did sit on two or three Saturdays in the latter part of the session. I believe that twice during this session the House adjourned because evening parties were taking place at the houses of Ministers; and yet we find the ex-Premier refusing to pay this token of respect to the son of his Queen. I believe that the motion of the honorable member has only been tabled for the purpose of taking up time. He can easily repeat the motion next session, and I can assure him that I do not think he will have an opportunity of discussing it this session. The honorable members on the Opposition side of the House seem to think that the Government and their supporters are children; but they are greatly mistaken if they think that we will allow them to discuss their motion this session. Honorable gentlemen on this side of the House are quite prepared to remain here, if necessary, in order that they may be enabled to carry on the business of the country, despite the efforts of the other side to impede it. I hope the House will pass the motion for adjournment.

Mr. THOMSON.—Sir, I think the motion of the Premier is an extremely reasonable one. To-morrow is the anniversary of the birth of the Prince of Wales, and in my opinion it would not be right for the House of Representatives to sit on that day, for by so doing they would not show their loyalty in the way that all Englishmen are in the habit of doing. If the Provincial Councils were in existence now, I believe they would not sit on the Prince of Wales's birthday. There are two things that Englishmen glory in—namely, fair-play and loyalty. In these colonies people are more loyal than they are in England. The Native Minister has stated that if the Government were allowed to go on with the business the session would soon come to an end. Yesterday a great deal of business was cleared off the Order Paper, and if we had gone on in the same way to-day a good deal more of the business would have been cleared off. It would be much more profitable to do this than to go on arguing the question whether or not we ought to sit here to-morrow. The Government themselves intend to be very busy to-morrow. They hoped to be able to so arrange matters that all the public business of the country would be disposed of by next week. We certainly shall not sit to-morrow if we consult the interests of the country. All public institutions, including the schools, will be shut; and what will be said in the mother-country if it becomes known that this House of Representatives was sitting? What is the argument that has been advanced? That there is a certain motion coming on to the effect that this House has no confidence in the Government. Now, that is just the very motion that has been occupying the attention of the House for the last fortnight or three weeks, and if we take it up again and discuss it we shall simply be beating threshed straw, which is very unprofitable work indeed. I cannot believe, Sir, that those honorable gentlemen will be allowed to get back to these benches. They certainly did not acquit themselves so very well when they did

occupy them that we should allow them to get back again to them. If they had guided the House properly when they had the chance, the session might have been closed two or three months ago. And I expect that if they were back again on these benches they would be doing just the very same things that they did before—bringing down Bills, throwing them on the table of the House, allowing everything in their Bills of any value to be thrown out, and doing neither one thing nor the other. To meet to-morrow would be very unprofitable.

Mr. BARFF.—It appears to me that the honorable member for Egmont might have another object in view than that which he has expressed as influencing him in bringing forward Motion No. 3. It has occurred to me, and doubtless to other honorable members, that the honorable member for Egmont is simply anxious to apologize for his conduct on a former occasion. It is not many days since we saw that honorable gentleman standing up defying Mr. Speaker, declining to sit down when he was told, clawing the air as if he imagined he saw ghostly cobwebs around him, and generally producing a very theatrical effect. It occurred to me that the honorable gentleman might have seen the error of his ways, and be desirous of offering a full and ample apology to Mr. Speaker and to the House. Although in a discussion like this there may be a considerable amount of latitude allowed after what has been said by the honorable member for Egmont, still I do not think it is wise to indulge in any personalities with regard to honorable gentlemen who have not taken part in the debate. What might have appeared to be something like an insinuation in regard to the honorable member for Avon was thrown out by the honorable member for Auckland City East when he was alluding to what, in plain words, might be called political apostacy. I am certain the honorable member for Avon does not intend to apostatize in any matter whatever, because I have more confidence in that honorable gentleman than to believe that he would deliberately say one thing one day and a totally different thing the next. I am the more convinced in this opinion, because I heard that honorable gentleman, at a meeting of his own party not very many weeks ago, thus advise. He said, "All you have to do is to take the course which I shall adopt—that is, notice which lobby Major Atkinson goes into with his party, and go into the other." When an honorable member gives expression to such a statement as that—many honorable members now present heard it—I cannot for a moment believe that he will go back from his word, particularly when I know that nothing has occurred since to alter the position of affairs, except a certain amount of factious opposition and obstruction on the part of the honorable gentlemen who are now trying to raise a discussion on a very unimportant matter indeed. It appears to me that the proposition for an adjournment is only a reasonable one. I remember that, some years ago, when I was in Victoria, the people there loyally celebrated the Prince of Wales's wedding-day, and in Melbourne three

Mr. Thomson

days' holidays were observed. Throughout the colonies it has always been the rule to make the Prince of Wales's birthday a public holiday. Even upon the diggings, although many honorable gentlemen connected with pastoral pursuits might think a diggings population very inferior, the Warden invariably proclaims a public holiday in a case like this, even where it is not provided in the rules and regulations of the gold fields. The peculiar line of conduct adopted by the Opposition, both since they have been in opposition and when they were on the Ministerial side of the House, has been such as to prevent myself and many other active members of the House from taking a single day for recreation. Their conduct has been of that description that many honorable members, who would have been better in church or chapel, have had to stay about the lobbies to try to circumvent the peculiar manoeuvres which the Opposition endeavoured to work in order to carry out their objects. I think it is only fair that we should have a holiday, particularly as, in all probability, judging from the present action of the Opposition, we may be here until Christmas.

Mr. MURRAY.—I think the Premier would have been very remiss and wanting in proper loyalty if he had not moved the adjournment, so as to enable us to show respect to the future King of England. And the honorable member for Egmont would have acted more gracefully had he seconded, as leader of the Opposition, the motion of the Premier, and shown, by sinking all party feeling in a matter of this sort, that he was not inferior to that honorable gentleman in loyalty.

Mr. SHRIMSKI.—I think it comes with very bad grace from the honorable member for Egmont to oppose this motion. He has been a soldier, and has sworn allegiance to Her Majesty in that capacity and as a Minister of the Crown, and should not now object to a proper expression of our loyalty. This is an instance such as he is in the habit of giving us. His conduct throughout the whole of this session has been anything but becoming to his position; and I feel very much grieved to think that a gentleman who has held the position of head of the Government, and who has represented the Crown in this House, should oppose a motion to loyally observe as a holiday the birthday of the future King of England.

Question put, "That this House at its rising do adjourn until Monday at half-past two o'clock;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	37
Noes	...	...	...	...	38
Majority against ...					1

#### AYES.

Mr. Baigent,	Mr. Montgomery,
Mr. Ballance,	Mr. Murray,
Mr. Barff,	Mr. Nahe,
Mr. J. E. Brown,	Mr. O'Rourke,
Mr. Bryce,	Mr. Pyke,
Mr. Bunny,	Mr. Rees,

Mr. De Lantour,  
Mr. Dignan,  
Mr. Fisher,  
Mr. Gisborne,  
Sir G. Grey,  
Mr. Hamlin,  
Mr. Hislop,  
Mr. Hodgkinson,  
Mr. Joyce,  
Mr. Kelly,  
Mr. Larnach,  
Mr. Lusk,  
Mr. Macandrew,

Mr. Reynolds,  
Mr. Seaton,  
Mr. Sheehan,  
Mr. Stout,  
Mr. Swanson,  
Mr. Taiaroa,  
Mr. Thomson,  
Mr. Tole,  
Mr. Wakefield,  
Mr. W. Wood.  
*Tellers.*  
Mr. J. C. Brown,  
Mr. Shrimski.

#### NOES.

Major Atkinson,  
Mr. Beetham,  
Mr. Bowen,  
Mr. Burns,  
Mr. Button,  
Mr. Curtis,  
Sir R. Douglas,  
Mr. Fitzroy,  
Mr. Gibbs,  
Dr. Henry,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Johnston,  
Mr. Kennedy,  
Mr. Lumsden,  
Mr. Manders,  
Mr. McLean,  
Mr. Moorhouse,  
Mr. Murray-Aynsley,  
Mr. Ormond,

Mr. Reid,  
Mr. Richardson,  
Mr. Richmond,  
Mr. Rolleston,  
Mr. Rowe,  
Captain Russell,  
Mr. Seymour,  
Mr. Sharp,  
Mr. Stafford,  
Mr. Stevens,  
Mr. Sutton,  
Mr. Tawiti,  
Mr. Taschemaker,  
Mr. Whitaker,  
Mr. Williams,  
Mr. Woolcock.

#### TOLLERS.

Mr. Harper,  
Captain Morris.

The motion was consequently negatived.

#### KYEBURN HUNDRED.

MR. DE LAUTOUR asked the Minister for Lands, If any steps have been taken by the Waste Lands Board of Otago to frame regulations for the depasturing of stock on the Kyeburn Hundred? This hundred had been proclaimed as far back as two years ago, and for fully eighteen months it had been more or less taken up, so that there were at present about 13,000 acres taken up out of a total of about 17,000 acres. Under the Act it was the duty of the Waste Lands Board to frame regulations, so that the grazing rights might not be monopolized by the pastoral tenants without their paying anything to the Crown. The Board, however, for reasons best known to itself, had always refused to give to the settlers of this hundred their grazing rights. Six months ago the Board refused to issue the depasturing licenses which must be held before grazing rights can be exercised. At the instance of the late Premier, the Board was informed that their action was irregular; and they then issued regulations. He now wanted to know whether, during that six months, they had learned that during the two years previously they had been neglecting their duty in not issuing pastoral licenses. If no steps had been taken to frame regulations, he hoped the Government would restrain the action of the Board, so that the settlers might have in their own hands, after the 1st December, that which had been refused to them at the instance of the Board.

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Mr. MACANDREW replied that he found that the Waste Lands Board was giving public notice, calling attention to the necessity of Wardens being elected before the 1st December next, for the purpose of regulating the depasturing of stock on the hundred. Failing such elections taking place, the Board would itself frame regulations.

#### MANGAHOE FISHING RIGHTS.

Mr. TAIAROA asked the Minister for Native Affairs,—(1.) By what authority Europeans exercise fishing rights over the Mangahoe Inlet, in the Provincial District of Otago, while the Native title thereto has not been extinguished? (2.) If the Government will cause a stop to be put to such acts on the part of Europeans until some arrangement for the extinguishment of the Native title has been made? The inlet referred to was situated in the midst of his land. The lands adjacent to the place had all been granted, and an application was also sent in for an investigation into the title to this inlet. The Native Affairs Committee recommended that the case should be heard before the Native Land Court, and application was sent in; but the hearing had not taken place. The Europeans were in the meantime plundering all the oysters and fish from the place, and selling them in Dunedin; and the second part of his question asked that a stop should be put to that proceeding, until the Native title was extinguished. The Natives were not receiving any benefit from what was obtained from the place, but were remaining quiet until the matter was settled, while the Europeans were getting all the advantage.

Mr. SHEEHAN replied that, as the honorable gentleman was no doubt aware, under the Treaty of Waitangi certain rights were reserved to the Natives in regard to their fisheries. It was quite true that two years ago the Native Affairs Committee recommended that this case should be heard before the Native Land Court; and the only reason why the hearing had not already taken place was that there was a legal difficulty in the way, as the Court held that, under a certain clause of "The Native Reserves Act, 1873," it could not hear the case. There was, however, a Bill now before the Upper House which would remove the difficulty if it became law, as no doubt it would; and then the honorable gentleman could bring his case before the Court in the ordinary way. He did not know by what right the Europeans complained of took fish from this inlet, but the Government had no power to stop them. If the honorable gentleman proved his title to the property, he could bring an action against the people in the ordinary Courts, and restrain them from the trespass of which he complained.

#### FEATHERSTON AND MASTERTON RAILWAY.

Mr. BEETHAM asked the Minister for Public Works, If the Government are in a position to call for tenders for carrying on the formation of the line of railway from Featherston to Masterton; and, if not, whether they will state what is

the earliest date at which tenders can be called for?

Mr. LARNACH replied that plans of this line were in progress, and, if the direct line was adopted, tenders might be called for in a month. If, however, the line by Greytown was adopted, three months would perhaps have to elapse before the tenders could be called for. When the plans were further advanced a report would be made of the relative merits of each line.

#### PARIS EXHIBITION.

Mr. REES, in moving the motion standing in his name, said he did not know whether the sum named would be sufficient to secure the due representation of New Zealand at the Paris Exhibition, but he had placed the motion on the Paper more for the purpose of drawing attention to the fact that no provision had as yet been made, that the time for holding the Exhibition was rapidly drawing near, and that, unless New Zealand was to be the only colony of the Australasian group to be unrepresented, it was high time the necessary steps to secure its representation were taken. It was evident that means must be provided for the transmission and return of exhibits to and from the colony, and it was also evident that the House should pass some resolution in order to enable the Government to provide funds for the purpose. It might not be out of place to show what grounds might be urged for the expenditure of public moneys on a proposal of this sort. They heard continually inside and outside the House that large amounts of money were being spent not in strict accordance with the Public Works and Immigration policy, which was inaugurated in 1870. They also knew as a fact that, even before the inauguration of that policy, frequent charges of log-rolling were made—charges of votes being obtained for different and diverse purposes, simply as a reward to one member who voted for the local works of another member, works which were not of sufficient importance to justify their being made a charge upon the public funds. The motion related to a purpose very different from that. It was a purpose in which the whole colony was concerned, and one to which a small sum of money might very profitably be devoted, because it would tend to bring New Zealand more before the French people and other Continental nations than any other step that could be taken. The Great Exhibition of 1851, the idea of which was not originated by Prince Albert, although it was very successfully carried out by him, was instrumental in securing one very great step in the pacific history of the world. He was sorry to say that he did not think there was much hope of such an exhibition exerting much influence upon such nations as those engaged in the barbarous conflict going on in the East; but he did think that international exhibitions, by bringing about an interchange of ideas, and by bringing together representatives of the earth's communities, whole families of nations, as it were, would do more towards putting down wars in days to come than anything else that could take place. They had already had that effect to a very great extent. He believed that the feeling which was

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germinated by the Exhibition of 1851, and the subsequent exhibitions held in various parts of the world, had done a great deal towards averting a war between England and America. It gave rise to a feeling which led up to the Geneva Conference—a process of arbitration which, though costly, was far preferable to an appeal to arms, with its consequent destruction of thousands of valuable lives. Since that time the value of these exhibitions had become more and more apparent to all civilized nations. The original idea of holding national exhibitions was attributed to Mr. Whishaw, Secretary to the Society of Arts. It was said in Haydn's "Dictionary of Dates" that Prince Albert had proposed the Great Exhibition of 1851. They all knew the outcome of that Exhibition. A Royal Commission was appointed in connection with it on the 3rd January, 1851. The Queen subscribed largely towards it, and it was opened on the 1st May following, and continued open for a long period of time. He believed that on one day 110,000 people visited it. From that time to the present, the influence that was exerted by that Exhibition and others which had followed in its train had been felt all over the world, and it had tended to make communities great and prosperous. At that Exhibition there were exhibited agricultural implements, every kind of mechanical appliances, all modern improvements in steam engines; and, in fact, all the branches of science and art received a great impulse from that Exhibition and others which followed in its train. He was sorry the late Ministry had not paid more attention to this question, inasmuch as it was well known to the Government that space had been granted by the Commissioners of the Paris Exhibition—at the request of the Government, he believed; but yet the Government had not taken the slightest trouble to arrange for filling that space. At nearly all the other great exhibitions New Zealand had been very worthily represented. He found that at Vienna numbers of medals and certificates of honorable mention had been awarded to New Zealand exhibitors, and to the New Zealand Government. He held that it would be a public calamity if the space that had been allotted by the Commissioners of the Paris Exhibition were not filled up, for he believed that the French people intended to make it the grandest exhibition yet held in the world. At the Philadelphia Exhibition, also, the Colony of New Zealand was well represented. The people who flocked from all parts of the United States to Philadelphia were able to mark the progress of the human race in regard to arts and science, and they were able to see how, year after year, England, the United States, the British Colonies, and, in fact, all the communities of the earth, were going on, step by step. The question had lately been raised in the public Press as to why the Government of New Zealand had omitted to provide the necessary funds for the payment of the expenses of persons who might desire to become exhibitors. The Australasian Colonies as a whole would certainly be largely represented; in fact, he believed that nearly all the other colonies had appointed Commissioners to repre-

sent them at the Exhibition; and he heard that the late Government had gone so far as to name an honorable member of the House to represent New Zealand. It was generally supposed that, if the honorable member for Egmont succeeded in carrying the present motion of want of confidence in the Government, and got back to office, Mr. George McLean was to be appointed Commissioner for New Zealand. He (Mr. Rees) hoped that the honorable gentleman would not be very much chagrined at not having received the appointment. At the same time, he trusted that, though the honorable gentleman might not be appointed as the Commissioner, old colonists in France would see him among the visitors at the Exhibition. In no way could the colonists of New Zealand display their wealth, or show the progress the colony was making, better than by having themselves properly and ably represented at these exhibitions. He believed that at no very distant date there was to be a great exhibition in Victoria, and it was not improbable that the Prince of Wales would be present to open it. The colonies of Australasia at the present time were nearly as populous as, and twenty times more wealthy than, the American States were at the time of the War of Independence, one hundred years ago. He found that in 1876 the population of this group of colonies was, in round numbers, about 2,400,000, while the population of the United States, at the time of the War of Independence, was about 3,000,000. Of course no parallel could be drawn regarding the tonnage of the vessels and the numbers of the live stock belonging to the Australasian Colonies and to America. The position of the colonies could be set forth in no better way than by making a fair exhibition of their products and showing their various capabilities at such exhibitions as the one referred to in his motion. He had no doubt that the other colonies would be very well represented at the Paris Exhibition, but it remained for this colony to do its part. He thought that, owing to the laxity of the Government, the people were not at all alive to the importance of sending exhibits to France. He believed that when the Vienna, the London, and the Philadelphia Exhibitions were opened, the people in those places were far more ready to bestir themselves in regard to obtaining exhibits from New Zealand than even the people of the colony themselves were. The people were careless because the Government had not taken the trouble to inform them that all the necessary expenditure would be borne by the colony. He was informed that, unless something were done very soon, the space allotted to New Zealand by the Commissioners of the Paris Exhibition would be covered with a large screen, on which would be printed the words "New Zealand." He thought the Government should take some active steps to aid the people of the colony in sending exhibits to the Paris Exhibition. The Government ought to encourage the people of New Zealand to send to Paris specimens of the mineral and metalliferous deposits of the colony—the iron, the coal, the timber, the flax, and the articles which were manufactured here: specimens of all these things ought to be sent to the

Exhibition, for they had excited the admiration of the American people when they were shown at the Philadelphia Exhibition. The Government ought to encourage the people of the colony to send exhibits to Paris, because it was highly probable that such a thing would be of advantage to the colony. As he had shown a few nights previously, the colony had during the last five years spent about £25,000,000, and in that time the debt of the colony had been increased by £14,000,000, and, unless men of means—professional men, merchants, and others who had capital—were induced to come to the colony, the burden would press very heavily on the shoulders of the present colonists and their children. The colony would not progress unless men were induced to come to it other than those who were now being brought out at the public expense. Persons of means should be induced to emigrate to New Zealand, and they would be so induced if the natural endowments and commercial capabilities of the colony were placed before them in an attractive light. If that were done, the different classes and grades of men in the old country and on the Continent of Europe would have some inducement to come and help the present colonists in the great work of colonization. He believed that that was far better. He believed, for instance, that a course of public lectures given throughout the United Kingdom; that an exhibition of New Zealand manufactures and products, a publication of climatic tables, and, although they had not a very favourable specimen in Wellington, a lecture given on the newspaper Press of the colony—which was always, to a certain extent, an indication and token of the prosperity of a people—these things, if they were brought prominently and publicly before the eyes of different classes of men—of the general public, in fact—would do more to induce a healthy stream of immigration to this country than the expenditure of one and a half or two millions of money, which they had to a very great extent wasted during the last five years. It was well known, as a matter beyond dispute, that a large proportion of the immigration which had been introduced had not added to the wealth of the country at all. He believed it was an absolute fact that some of the very best of the newly-imported immigrants, as well as some of the bone and sinew of the country, the stay of the country, the old colonists, had been gradually, during the last twelve or eighteen months, floating away from New Zealand to the other colonies of Australasia. They did not envy the other colonies their welfare and prosperity; they did not envy them when they heard, as in the case of New South Wales, that they had a balance of millions at their banks; that labour was high, work abundant, provisions cheap, and taxation, instead of being heightened as in New Zealand, being lowered; but they said that it was a sin for the Government of the country to expend the public money in inducing immigration, and at the same time not to have lands for the people to settle upon, not to have employment for them to engage in, but simply to pay for their passages in order that they might go to and enrich the other colonies.



They should so act as to induce a stream of immigration that would settle in the country, take deep root, and become as much a part and parcel of the Colony of New Zealand as they were themselves. This could be done by placing our circumstances properly before the people of the United Kingdom and the people of some of the Continental nations. Hitherto this had been done to some extent, although he believed it might have been done to a still greater extent. He believed, for instance, that those who represent us at Home, the gentleman who was called the Agent-General, might well have advanced the claims of New Zealand to some extent publicly before the people. He noticed lately that Sir Julius Vogel, the Agent-General, had been writing in papers, but he failed to see that in so writing to papers he had been advancing the interests of the colony he represented. The same energy, the same skill, and the same talent employed for the purpose of placing before the public of the United Kingdom the claims of the colony he represented would have been of vastly greater benefit to us, and, in fact, to the people at Home whom he was addressing, than the articles which that gentleman had contributed to the "Contemporary" and some other papers and magazines. In fact, he might say, in passing, that he was rather surprised to see that a gentleman who represented this country at Home as Agent-General, who was the leader in this country of all liberal institutions, who was looked upon as the leader of a great party—a democratic party, in fact—for the purpose of advancing the liberties of the whole inhabitants of this country—he was surprised to find that he should have so far departed from that line of principle as to hint, in an article which he wrote in the "Contemporary Review," that the proper bond—or at least the advisable bond—between England and her colonies was to be enforced even at the expense of civil war. It would be a calamitous thing for the colony to take that tone. Such peaceful contests as the competitions at these exhibitions would prove the strongest bond which could possibly bind us to the older countries. At this time they needed whatever help they could obtain from the influx of inhabitants and the expenditure of capital in the country, not by way of loan or anything of that sort, but as an investment in the country itself. There was abundance of idle money in England—money which could not be lent out at any proper rate of interest—there was a superabundance of population; and if the claims of New Zealand were properly represented—in common, of course, with the claims of the other colonies of this group—he believed that to a large extent the streams of population and of wealth which had been flowing from Great Britain to America during the last thirty or forty years would be pointed in this direction; and that, instead of paying for the introduction of people by thousands and tens of thousands into this country, they would be able to induce persons to come—persons not of one class, but some of whom would take up the position of labourers and some the position of employers of labour, so that the colony would not

be deluged with one class of immigrants, but would have all classes fairly represented. It would be a very long time before the gradual settlement of the hordes of immigrants who had been poured into this country irrespective of their capacity and irrespective of their fitness for the work they were called upon to engage in: it would be a long time before the different classes of the community would be as wealthy and as wealth-producing in the future as the same number comparatively were in the past, for in the past the people settled down gradually to their existence; they settled down to their proper positions, the poorer classes gradually working up to an independence, and, to some extent, no doubt, the rich becoming more wealthy. But the introduction of between thirty thousand and fifty thousand of one class—a class absolutely dependent upon its daily earnings for its daily bread—must do much to lower the average power of the whole population to produce wealth. It needed very little knowledge of political economy to be able to state that. And, as a consequence, what did they see at the present time? Although an enormous amount of public money has been spent—although millions of money from the Land Fund had been spent—extra aids, as it were, to the general producing and wealth-spending power of the country—although these enormous aids had been in progress during the last three years, the revenue of the country had absolutely not increased. He was reminded that to some extent it had decreased. The population had increased; and, in 1870, when the great Public Works policy was launched, there were long tables made showing that with the increase of population the revenue was bound to increase—"sure to increase," Sir Julius Vogel said, and everybody received the assertion as gospel. Why, members of that House might have seen then that if they introduced a vast number of people they must introduce them exactly of the same level of wealth, the same level of intelligence, the same average power of producing wealth and paying revenue as those whom they came to join. If the thirty thousand or forty thousand immigrants who had been introduced had been people of wealth, and had settled down in the country, the revenue, no doubt, would have largely increased, and to a larger extent than the proportionate numbers would be equal to. But it had not been so, and all the immigrants who had been introduced had been persons of the poorer class. As a natural consequence of that, the revenue had not increased; and, until the immigrants gradually settled down and took up the same relative standing and position that the people had before they came into the country, the revenue would not increase. But, irrespective of this, he believed that that which they could offer to immigrants was sufficient in itself to tempt men to come into the country and settle. There were yet boundless lands tolerably easy of access. Everywhere the sea-coast was tolerably near; and the public works had no doubt made accessible large tracts of public lands which would otherwise have been difficult of access.

*Mr. Rees*

New Zealand was acknowledged, he believed, by all those who had taken the trouble to study the subject, and by those who had written and spoken upon it, in point of climate, fertility of soil, and easiness of access, to offer advantages, to men who made their home in this country, which perhaps none of the other colonies possessed or offered to intending immigrants. But they might easily admit this: that the voluntary immigration into the country during the last four or five years had not been carried on to such an extent as it ought to have been. They had had a great number of Government immigrants, but not the same number of voluntary immigrants as they had before at any period in the history of New Zealand. If any honorable gentleman would study the figures in relation to immigration, he would at once be struck with this fact: that, since the Government immigration commenced in 1871 and 1872, voluntary immigration into New Zealand had not maintained its former average by a very considerable margin; and the reason for that was not very difficult to find. It was this: that persons with capital, and even persons without much capital, but with sufficient to start them in a new country, had become rather afraid not only of the introduction and expenditure of so much borrowed money, which had to be repaid, but of the introduction of such very great numbers of Government immigrants. They were afraid of undue competition. They were afraid that all the avenues to success would be filled up—that the field of labour would be closed, in fact; and in other colonies they might hope to have a better outlet for their money or for their labour than they would have under the existing state of things in New Zealand. Now, if New Zealand were not properly represented at Paris there was no doubt that this feeling would be increased. The colony was at present looked upon by the steadiest and the gravest authorities in England with some degree of suspicion in relation to the enormous sums of money which had been borrowed and expended, and in relation to the general haziness which had existed about our public accounts during the last three or four years. Private letters to honorable members and to prominent citizens in the colony, public statements in "*Fraser's Magazine*," in the *Times*, and in other papers, articles published in the *Economist*, all showed that the people of the United Kingdom did not regard the colony at the present time with that degree of satisfaction and with that degree of certainty and trust of the monetary and financial position of New Zealand to which this colony was entitled. The reason for this was not difficult to find. It was this: that the late Government, in order to bolster up its credit, in order to be enabled to obtain in the London money market a position which it desired to occupy, so that it might float further loans, had, to say the least of it, made the condition of affairs very hazy indeed, so hazy that, both within and without New Zealand, it was continually said that nobody knew exactly how the colony stood; and the very last telegram that was sent Home, the telegram which was placed

on the table of the House in relation to the state of the country—a synopsis, as it were, of the Financial Statement made by the late Treasurer—stated that everything was satisfactory, and that there was a surplus of £143,000. Why, the English brokers, the people connected with the English money market, knew better! There were honorable members present who had received letters from persons at Home who said they could not understand how such a statement could possibly have been sent from New Zealand. Yet that was telegraphed Home, and it was publicly given as an authentic statement of our financial affairs, although honorable members of this House objected to it. They said that New Zealand could stand without having any misstatements made, without having any haziness cast about it; that New Zealand, from its resources, from its natural wealth, from the energy and industry of its people, and from its being absolutely certain to grow and increase in numbers, wealth, and power, could easily bear, with proper administration, the burden it had to bear, without any resort to exceptional means for the purpose of raising a fictitious credit in the English market. When this was stated, those who stated it were immediately accused of decrying the credit of the country, and of attempting to depreciate the value of existing securities. It was not so long ago since the statement was made that five millions of money would require to be borrowed. What was the result? Why, the honorable member for the Taieri immediately got up and denied it, and stated that it was not so. The honorable member for Egmont immediately afterwards got up and said that it was so—that five millions would have to be borrowed, and most likely a good many more millions. Then the honorable member for Wellington City (Mr. Hunter) got up and said that five millions would not be borrowed—that the persons who said so were entirely under a mistake. And yet the late Premier stated that the figures were all in the Financial Statement, and distinctly stated that it was absolutely necessary for the credit of the country that five millions of money should be borrowed. Why not allow the true position of affairs to be seen and known? It was not that the colony was not wealthy enough and powerful enough, and had not great resources. Look at the revenue! Although it was true to the eye and not true to the spirit that the revenue was £3,400,000, including the Land Fund, that was far more than the current expenditure of the country. There was no doubt of that. He had never made a secret of his opinion that the Land Fund was the property of the colony, and not of the provinces. He believed that, if a proper system of finance in that respect were brought down, and the true position shown, the country would not suffer in any way. He would not object to a moderate property-tax being put on, so as to make both ends meet, and place themselves in a position of independence. The people were not afraid of their liabilities. He believed that if the true position were known in London, as he hoped and trusted it would be known at the present time, the New Zealand bonds, instead of the 5

per cents. being of less value than the 4 per cents. of New South Wales, would fetch a higher price than any others in the world. They should make the best possible appearance they could at the Paris Exhibition. He believed that even £20,000 would be well spent in showing what the resources of New Zealand absolutely were—in showing those resources at the Paris Exhibition, which would attract the attention of Continental countries and of the people at Home. They would receive good notices in the English papers, which would tend to show the products, wealth, and power of New Zealand. Tables might be prepared showing the nature of the climate and the fertility of the soil, which would be of great value as indicating to persons at Home what a country New Zealand was as a future home for settlement. They might well spend £20,000 instead of £3,000 in putting those matters properly before visitors to the Paris Exhibition, and before the people of the Continent of Europe. It would benefit the country to the extent of fifty times the outlay; it would give value to property in this country, and act as an inducement to persons to come to New Zealand. This was not, therefore, a mere idle matter, and if a little time were taken up in considering such a subject, both inside and outside the House, he was sure it would result in a great deal of public good. He thought it would be far more to the public good than putting on the Order Paper any number of motions "That this House has now no confidence in the Government." If this motion which he had now brought forward were carried out, it would be a very proper way of getting on with the business of the country. It would be an advantage to every man engaged in mercantile pursuits; to every man who had property and something at stake in the country; to every man who had a family to rear up, and to see it helping to take part in the common weal of the country. He had heard honorable members use the argument that there had been a considerable waste of time in talking to and fro, but he would ask of what value were representative institutions, and of what value could they be to a free people for the purpose of improvement, if they were not to be considered as instrumental in facilitating freedom of speech? And why? Representative Assemblies did not meet simply for the passing of laws, simply for the making of certain Statutes. Let them take the last four or five years. In the making of the laws now on the Statute Book during the last four or five years, more time had been wasted than in all the discussions and recriminations in this House ever since it was founded. Laws were passed which imposed burdens, which took up time, the action of which had been complained of by the people—laws which had to be repealed, and the meaning and signification of which was not known or understood. They were not useful in their operation, and certainly the time spent in discussing and passing them was not spent in doing the business of the country. They were of a description which did not lay the basis on which a great and free Government might be erected—a Government which would

*Mr. Ross*

have for its end and aim the greatest happiness of the whole people affected by it. Recrimination in one sense was useful. Of course no man had a right to allude to private matters, and he trusted the House would put its foot down decidedly and strongly against that; but if a man were accused in public of having misused his public power, of having by unfair means advantaged himself or his friends, or neglected the interests of others, then those public accusations were the very means that would tend to keep pure the fountain of public justice. They had heard accusations from side to side of the House. They had heard them made against the late Ministry and their friends; and how were they met? By refusal to appoint Committees to examine into them. When accusations were made against the present occupants of the Ministerial benches, how were they met? They were met with a determination to expose everything that could be exposed, and to cover those who made the accusations with contumely, shame, and ridicule. He would say that all that was good. He defied a single member to say that the recrimination which had taken place in this House during the last two years had not been productive of great public good. Men had been shown out in their true character, so that the people had been able to judge for themselves; the people in all parts of this colony, and in all parts of the whole of these colonies, had been able to judge of the character of those who had been spoken of. He would be very sorry indeed if men were prevented from speaking the truth through fear of infringing what were called the polite rules of society and of this House. There never could be a more unhealthy and stagnant state of things than when men were afraid to tell the truth and to call things by their proper names—when men were afraid to speak their mind lest they should tread on the toes or touch a sore place of a rival. This House would not be doing its duty if it countenanced such a state of things. He could mention instances—and there were one or two honorable gentlemen who could bear him out—in which the characters of members of this House had been aspersed, and aspersed in private—in which statements had been made that members of this House had been guilty of conspiracy to defraud the Government. That accusation was made in private. The signatures of persons in the community were put to such charges, and the papers were carefully put away in the pigeon-holes where no one could see them. A species of assassination of that sort was to be guarded against. It was not an open charge made upon any foundation whatever. He had stated the purpose for which he had moved this motion, and he trusted it would be carried. He hoped there would be an expression of opinion upon it—that honorable members would speak to the resolution. It might be said that there was a great scarcity of public money. So there might be, but the sum of £3,000, or a great deal more, would be well spent by this House and the country in carrying out the object of the motion he now proposed. Then it might be said, "Oh, it is not much

good; we are not very well known in Paris, and it would not be of much use." But that bore on the face of it its own answer. If they were not known as a great colony like New Zealand ought to be, there was the more reason for carrying the object of this motion into effect, and the more likely were they to insure success. Then there was a need for this to show to all classes of men, and especially to the public creditor, that New Zealand was what she was represented to be—a rich land, and a land which offered perfect security for the money that might be borrowed. This was particularly necessary, as the colony had again to go into the money market to borrow, and the more we showed to the people at Home that the country had great resources in itself the more easily and the more economically could we get the money we wanted. More money must be obtained to complete the public works and make them succeed, and the more thoroughly we exposed our affairs to the light of day the more readily should we get that money. The confidence of the English people had been largely decreasing. It had been growing in inverse ratio, and decreasing, while it had been increasing in regard to other colonies. There could be no doubt, however, if we acted straightforwardly and showed what our resources were, that a reaction would set in, and our credit would gradually and surely grow instead of decreasing. He hoped there would be an exhibition in New Zealand before long. He did not see why other colonies should have exhibitions, and New Zealand be shut out; and there was no reason why, within a few years, the Government should not be well supported by the country in having an exhibition in New Zealand. Other colonies would be delighted to send exhibits and give us their support in the matter. Although that would cost a great deal more than £3,000, he had no doubt it would be carried out. In the meantime, however, what the House had to do was to see that steps were taken to have the colony properly represented at the Paris Exhibition. If the Government took the first steps in the matter, the people generally would soon take it up. He was afraid he had occupied too much time in speaking to the subject, and he would like to hear the opinion of other members. He hoped the vote would be carried, and that no time would be lost in taking efficient steps to insure success. The colony would never regret the expenditure of this money if it were devoted to enabling New Zealand to make a creditable show at the Paris Exhibition, and to take such a position as this colony, although one of the youngest, was entitled to, alike in consideration of its past, its present, and its future.

Motion made, and question proposed, "That this House will, on Wednesday next, resolve itself into a Committee of the Whole to consider of a respectful address to be presented to the Governor, praying that His Excellency will cause a sum of £3,000 to be placed upon the Supplementary Estimates for the purpose of providing funds for the due representation of New Zealand at the Paris Exhibition."—(Mr. Rees.)

Mr. DE LAUTOUR would like to congratulate the honorable gentleman for the stirring and

practical appeal he had made in regard to New Zealand. It would have been very advantageous, however, if this question could have been raised under happier auspices. It was a subject of sufficient magnitude to have demanded that the Government, at an early stage of the session, should have invited the attention of the House to it. He did not altogether agree with the views put forward by the honorable gentleman, and in the few minutes at his disposal he thought he would have time enough to show those points on which the honorable gentleman had laid himself open to criticism. The honorable member had taken one view regarding exhibitions—that was, exhibitions external to New Zealand—and the view he held was the position New Zealand might take in the Paris Exhibition. But a much wiser and a far better mode for a young country to utilize such an exhibition as that at Paris would be for the young country to avail itself of the exhibits of the old countries. He thought that, so far as possible, in spending money with regard to exhibitions in the Old World, the colony ought, as it were, to send out its eyes—that was to say, persons should go out and gather in, bring back, teach, and instruct our artisans and the young men who were to be raised in New Zealand. The honorable gentleman put too much weight upon the impetus that our credit might receive from any exhibits that up to this time could be sent Home, and the great economic gain that would ensue from sending articles to the Paris Exhibition; but the real economic gain would result from sending out our eyes to gather experience from what could be learnt in the Old World. He would like to see this money, if granted, utilized not in sending a philosophical *savant* to the Exhibition, or in sending the late Commissioner of Customs there, for neither one nor the other would be able to use his eyes with sufficient advantage to the colony. What he would like to see would be ten or twelve persons engaged in industries already established here sent Home to learn experience. That was the course taken in England in 1867, when the Society of Arts voted £1,000, and, through the agency of Mr. Mundella and others of that gentleman's class of occupation, picked out eighty foremen and representative working-men in all kinds of industries of the most importance to the commercial prosperity of Great Britain. They brought back reports, which were published. Of the first edition 2,500 copies were sold, and it was afterwards translated into French, at the request of the Emperor himself, and was now the chief text-book of manufactures in France. Although New Zealand could not accomplish so much, still, if an intelligent man were sent, say, from the Mosgiel establishment in Otago, another from one of the shipbuilding establishments of Auckland, and others from other industrial establishments, of which there were many in the colony, and if they reported on the exhibits at Paris of special industries which were likely to be developed in New Zealand, it would add very much to the capital of this colony at an early date. Of course subjects of this sort opened up questions of very great importance, and chief amongst these was the

technical education of our people. In that lay the great strength and value of such exhibitions as that about to be held in Paris: indeed it was for that purpose they were held. Hitherto many countries had been unable to formulize such an education, and they had been compelled to trust to these spasmodic exhibitions for instruction, while other countries, wiser in their generation, were educating systematically. That was one great reason why the House should agree to this motion, and he thought all honorable members would agree that the amount of gain the colony would achieve would be of greater importance in that way than would result from showing our own wealth. There were special industries which it might be hoped would be developed in this colony. There was, for example, the iron industry. No doubt in many parts of the colony there were large and extensive deposits of iron ore which as yet the colony had not been able to turn to such great advantage as could be wished; and the specimens from Taranaki shown last year in the library of the Assembly should be an encouragement to send some person to the Paris Exhibition to gain experience in the working of that metal. Again, the utilizing of wool should be a special object with any Commissioner, whether workman or *savant*, sent to Paris. This brought him to an argument used by the honorable gentleman which he did not quite follow, and by which the honorable gentleman seemed to imply that a diminution in our exports necessarily showed that we were not progressing as rapidly as we should hope. He contended that a great object of a young country should be to develop its own helpfulness. It was not at all desirable that its exports should be swelled year by year, but rather that it should work up its own raw material. To his mind the colony might be prospering to a very great extent although the imports were increasing and the exports decreasing. Through the colony retaining its raw material, and working it up itself, a great saving might be made to the people, and a real addition to the capital of the colony. He thought the internal savings of the people of the colony, those which each man was accumulating in his own sphere, were too much overlooked when honorable members were arguing as to the prosperity of their own country in comparison with others. He had already pointed out the great object which might be gained by sending men to the Paris Exhibition with the view of instructing themselves, so that they might afterwards educate the working-men of the colony in industrial science. He might now say that, although there were men in this colony, as in every country, who could afford to be ignorant of many things, still the workmen, on whom the prosperity of the people of the colony as a nation must depend, could not afford to be deficient in that education which was necessary to make their skill productive. It had often been said, and all honorable members were aware, that many thousands of immigrants had been brought into the colony. He only touched upon this matter to point out that, although a great many of them were artisans, still, taking the percentage of artisans

*Mr. De Lantour*

as high as could be, it could not be expected that the very best workmen in the different branches of manufactures would come out here, and yet these were the only men who could be looked to as teachers of industrial science to the young men of the colony. It must be presumed that these men were not at the top of their special industries at Home, or they would not have left there. If the question of technical education in industrial science was not attended to, it would be necessary to depend upon the apprentice system, and, unless means were taken to obtain fresh instruction, the colony must in this respect fall back year by year. That had been found from the former Paris Exhibition to apply especially to England. It was now admitted, from comparative observations of the Exhibitions of 1851, 1862, 1867, and also the Philadelphia Exhibition, that countries which had neglected to send out their eyes, so to speak, to gather up and bring back information, had fallen back and were getting behind other countries in the manufacturing industries of the world.

The hour of half-past five o'clock having arrived, Mr. SPEAKER left the chair.

#### HOUSE RESUMED.

Mr. SPEAKER resumed the chair at half-past seven o'clock.

#### WANT OF CONFIDENCE.

Major ATKINSON.—I beg to move the postponement of all the Orders of the day, with the view of proceeding with the want-of-confidence motion which stands in my name.

Mr. O'ROURKE.—I may be allowed to point out that that cannot be done. When the time comes for calling on the Orders of the day they must be called on. The order of business for the day cannot be interrupted except by general consent. The Standing Orders are very explicit on this subject. I am sorry to interpose, but I feel that a duty is cast upon me in some respect in consequence of the position I hold in this House. I yesterday endeavoured to make myself master of all the rules and authorities relating to this point, in the expectation that I might be called upon, in your absence, to temporarily occupy the position you hold. The 71st Standing Order is to this effect:—

"When the House proceeds to the Orders of the day, on days on which Orders have precedence, and after the notices of motion have been disposed of on all other days, or on the House resuming at half after seven o'clock, as the case may be, Mr. Speaker is to direct the Clerk at the table to read the Orders of the day, without any question being put."

Then, if you turn to May, page 261, the course of procedure is laid down in an equally explicit manner:—

"When the Clerk is proceeding to read the Orders of the day, the course of business may not be interrupted by any other business or debate which members may endeavour to interpose. So soon as an Order of the day has been read, the business to which it relates is to be immediately proceeded with; and the Speaker, there-

fore, will not permit any question to be put to a Minister or other member, unless it relate to such Order of the day."

And at the conclusion of the paragraph there is this passage:—

"When an Order of the day has been read, the Minister or member having charge of the Bill or proceeding is entitled to priority in making a motion concerning it, and no other member will be allowed to interpose, unless with his consent."

Now, in regard to giving precedence to a motion of want of confidence in the Ministry by a postponement of all other business, I contend that that can only be allowed by means of a concession on the part of Government. The practice is thus stated with regard to postponing the Orders of the day:—

"Facilities of this kind are conceded by Government according to the importance and urgency of the motions to be discussed and the state of public business. They have generally been given to motions amounting to a vote of want of confidence in Ministers, but not to Bills of independent members which, if carried in opposition to Ministers, would probably cause their resignation; for, if such a principle were admitted, the arrangement of public business intrusted to them would be taken out of their hands."

Mr. STOUT.—If the honorable gentleman is allowed to bring on his motion I presume I shall also be allowed to bring on the adjourned debate upon my motion relative to the position of the Governor.

Major ATKINSON.—I should like to call your attention, Sir, to what I believe to be the correct method of procedure. I maintain that it is competent for any honorable member, before the Orders of the day are called on, to move the postponement of such Orders of the day as the House may think fit; but that cannot be done after the Orders of the day have been called on. That has invariably been the practice of this House. Upon reference to May, page 244, it will be found that it was the custom of the English Parliament, up to 1856, to postpone each Order of the day separately as it was put, but since that time it has been the custom to postpone as many Orders of the day as might be necessary, in order to arrive at a particular Order. I have at hand one precedent, and I have no doubt many others may be found. In the session of 1872, all the Orders of the day were postponed, in order that the House might proceed to the discussion of a want-of-confidence motion. This was not done by permission merely. The words I find in the Journals of the House are, "It was ordered" that this should be done. I submit that it is perfectly correct to postpone all the Orders in the way I propose.

#### PRIVILEGE.

Sir G. GREY, by command of His Excellency the Governor, laid certain papers upon the table, and they were read as follows:—

#### Message.

"NORMANBY, Governor.

"The Governor regrets that he is unable to give

a definite reply to the address presented to him by the House of Representatives announcing the concurrence of the House in the report of a Select Committee appointed to search for precedents and to report to the House in relation to the question of privilege raised by Mr. Stout, 'That the action of His Excellency the Governor, in noticing a matter in agitation or debate in the House as a reason for refusing to accede to advice tendered by his Ministers, was an infringement of the privileges of the House,' because, in the course of a correspondence which has taken place between himself and the Government, which correspondence he now presents to Parliament, a question of constitutional law has arisen, which the Governor considers it is absolutely necessary should be submitted for the consideration of the Secretary of State for the Colonies before he can take upon himself to accept the resolution passed by the House of Representatives.

"The Governor begs to assure the House that he does this out of no disrespect to their decision, but simply in defence of what he believes to be a most important constitutional principle.

"If the Governor should be wrong in the conclusion he has formed, he can assure the House that nothing was further from his intention than in any way to trench upon their privileges.

"Wellington, 8th November, 1877."

#### ENCLOSURES.

##### No. 1.

His Excellency the GOVERNOR to the Hon. Sir GEORGE GREY, K.C.B.

"The Governor presents his compliments to Sir George Grey, and requests that he will have the goodness to lay the accompanying message before the House at the earliest opportunity.

"5th November, 1877."

#### Message.

"— Governor.

"The Governor acknowledges the receipt of an address from the House of Representatives announcing the concurrence of the House in the report of a Select Committee appointed to search for precedents, and to report to the House in relation to the question of privilege raised by Mr. Stout, 'That the action of His Excellency the Governor, in noticing a matter in agitation or debate in the House as a reason for refusing to accede to advice tendered by his Ministers, was an infringement of the privileges of the House.'

"The Governor begs to inform the House that he has forwarded the same to his Constitutional Advisers, and that, as soon as he has received the advice of his Ministers, he will forward his reply to the House of Representatives.

"Government House,  
"Wellington, 5th November, 1877."

##### No. 2.

His Excellency the GOVERNOR to the Hon. Sir GEORGE GREY, K.C.B.

"The Governor requests that Ministers will forward to him their advice as to the answer which he should return to the enclosed address from the House of Representatives.

"The Governor is sure that he need not point out to the Government that it is desirable that the reply should be given with as little delay as possible."

"Government House,  
Wellington, 5th November, 1877."

(Enclosure in No. 2.)

"ADDRESS from the House of Representatives to His Excellency the Most Honorable the Marquis of Normanby, a Member of Her Majesty's Most Honorable Privy Council, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of New Zealand, &c., &c., &c."

"May it please your Excellency,—The House of Representatives of New Zealand, in Parliament assembled, desire respectfully to acquaint your Excellency that, having taken into their consideration a memorandum of your Excellency, dated the 27th day of October ultimo, in reference to the appointment of Mr. J. N. Wilson to the Legislative Council, and which memorandum was communicated to the House on the 31st day of October ultimo, by your Excellency's command, they have agreed to the following resolution, which they desire may be communicated to your Excellency:—

"That the action of His Excellency the Governor, in noticing a matter in agitation or debate in the House as the reason for refusing to accede to advice tendered by his Ministers, was an infringement of the privileges of the House."

"WILLIAM FITZHERBERT, Speaker."

"5th November, 1877."

No. 3.

The Hon. Sir GEORGE GREY, K.C.B., to His Excellency the GOVERNOR.

"Ministers respectfully advise His Excellency the Governor to return the following answer to the address from the House of Representatives:—

"The Governor, from a resolution transmitted to him in an address from the House of Representatives, learns that he has infringed the privileges of that branch of the Legislature. The Governor trusts that, from his unintentional act and his proceedings in relation thereto, the benefit may result that a precedent will have been established which may be useful in future."

"G. GREY."

"5th November, 1877."

No. 4.

His Excellency the GOVERNOR to the Hon. Sir GEORGE GREY, K.C.B.

"The Governor has received the memorandum in which Sir George Grey, on the part of the Government, tenders to him their advice as to the answer which he should give to the address from the House of Representatives; and the Governor must request that the Government will reconsider that advice, for the following reasons, viz.:—

"1. That constitutionally it is the Government, and not the Governor, who are solely responsible to Parliament for the acts of the Governor.

"2. That, if the memorandum of the Governor

Sir G. Grey

to his Ministers on the subject of the appointment of Mr. Wilson to the Legislative Council did contain any breach of privilege, it was, in the first instance, a strictly secret and confidential communication between the Governor and his Constitutional Advisers, and, if they saw that the Governor had unintentionally in any way infringed upon the privilege of the House, it was their duty, under the oath which they took as Executive Councillors, to have pointed out the fact to the Governor, when he would most readily have reconsidered the answer which he had given.

"3. That the presentation of the paper was done solely on the advice in writing of Sir George Grey, and that, therefore, Ministers are solely responsible."

"NORMANBY."

"Government House,  
Wellington, 5th November, 1877."

No. 5.

MEMORANDUM from the Hon. Sir GEORGE GREY, K.C.B., to His Excellency the GOVERNOR.

"Ministers respectfully acknowledge the receipt of His Excellency's memorandum of last night. The points raised in it are of such importance as to require the most careful consideration upon their part, and they are, therefore, unable immediately to tender advice to His Excellency upon the subject.

"Ministers will, however, take care that no unnecessary delay occurs in bestowing that attention upon the Governor's memorandum which its importance demands."

"G. GREY."

"Wellington, 6th November, 1877."

No. 6.

MEMORANDUM from the Hon. Sir GEORGE GREY, K.C.B., to his Excellency the GOVERNOR.

"His Excellency having asked Ministers for a reply to his memorandum relative to the advice they offered to him as to his answer to the resolution of the House of Representatives, Ministers beg respectfully to state,—

"1. That they admit their responsibility for His Excellency's acts when done on their advice.

"2. That out of respect for His Excellency they refrained from offering him any further advice, when he had twice rejected that which they had given him; but they do not think that, in refraining from doing so, they committed any breach of the oath which they took on entering office as Executive Councillors; and they feel sure that, on a re-perusal of that oath, His Excellency will modify his opinion on that point.

"3. They admit and accept the responsibility of laying the papers before Parliament; but beg respectfully to point out that the resolution of the House does not say that that proceeding was a breach of its privileges.

"Ministers are, however, unwilling to press His Excellency to accept advice upon a matter of this kind with which he does not fully concur; and therefore they respectfully beg to advise that the enclosed message be substituted for that previously sent to him."

"G. GREY."

"Wellington, 7th November, 1877."

(Enclosure in No. 6.)

"The Governor has received the resolution of the House of Representatives, by which he is informed that he has inadvertently committed a breach of the privileges of that House. The House is constitutionally the guardian of its own privileges.

"The Governor having now called Mr. Wilson to the Legislative Council, in accordance with his promise to his Advisers, he does not think it will answer any useful purpose to discuss the question any further, but he will transmit the papers to the Secretary of State for the Colonies."

#### No. 7.

MEMORANDUM from His Excellency the GOVERNOR to the Hon. Sir GEORGE GREY, K.C.B.

"The Governor acknowledges the receipt of Sir George Grey's further memorandum of this day's date, and he is glad to learn that the Government agree with him, and admit their constitutional responsibility to Parliament for the acts of the Governor when done on their advice. The Governor, however, cannot admit that their responsibility should be so limited, because, if the act of the Governor is such that the Government cannot accept or defend it, it is their duty to resign, in order that the Governor may be able, if he can, to form a Government who would support his views, in which case he would have, of course, to justify his conduct to the Secretary of State, to whom alone he is responsible. In this present instance the Government, and the Governor thinks rightly, did not consider that his refusal to appoint Mr. Wilson to the Legislative Council was a matter of sufficient importance to induce them to resign, and thereby they accepted his decision and became responsible for his act; and the whole question should have then ended, or they should have further pressed their advice upon him.

"Neither can the Governor modify the view which he has expressed, that the Government were, by the oath which they took as Executive Councillors, bound, when they saw that he had unintentionally given reasons which might be construed into a breach of privilege, to have pointed out the fact to him.

"The appointment or non-appointment of Mr. Wilson was one thing, and totally different to the question as to whether the Governor had unintentionally infringed the privileges of the House.

"The Governor has for too many years held a seat in one branch or other of the British Parliament to wish for one moment to infringe upon the privileges of the House of Representatives; and, could he admit, that he is the person responsible to Parliament, he would not for one moment hesitate to express his regret that most unintentionally he had infringed their privileges.

"The Governor, however, considers that the constitutional principle for which he contends—namely, That Ministers, so long as they retain office, are alone responsible to Parliament for the acts of the Governor—is of such vital importance to the future good government of the colony, and for the position held by Her Majesty's Representative, that he feels that he would be recreant to

his duty, and utterly unworthy of the position which he holds, if he permitted the question to drop, and did not try, to the utmost of his power, to have the matter finally and definitely settled.

"This question of privilege is now no longer a matter 'in agitation or debate' in the House. The Governor has been informed officially by the Hon. the Speaker of the decision of the House, and the official reports of the House are officially before him. He can therefore now refer to the matter in his communications with his Ministers without any fear of committing a breach of privilege.

"The absolute responsibility of Ministers to Parliament for the acts of a Governor is a question which has so often been decided, and is so well understood in England, that the Governor did not expect to find it disputed. The necessity and justice of this rule is obvious. In working out mathematical problems it is not unusual to demonstrate the point by showing the absurdity of any other conclusion, and the Governor would venture in this case to prove his point in that way. As an illustration, he will take the case which has just occurred. The Governor refused the advice of Ministers to appoint Mr. Wilson to the Legislative Council. By his instructions, and according to numerous precedents, he had a perfect right to take that course. The Government, as he thinks rightly, did not consider it a case of sufficient importance to necessitate their resignation, and there the matter would have ended. The Governor was not obliged to give any reasons to his Ministers for the course he had taken, but he thought it more honest and more respectful to them to do so. Unfortunately, in doing so he used expressions which were afterwards construed into a breach of privilege. The Government either did or did not see this. The Governor is perfectly ready to assume that they did not, as he should be very sorry indeed to impute to them any intention of entrapping him: at the same time the Government must have had some reasons for wishing for the production of the papers, and so little did the Governor see any public necessity for it that he was on the point of refusing his consent, and only refrained from doing so because he did not like for the second time to refuse their advice. The papers were laid on the table of the House, and immediately the question of privilege was raised. "The Governor, by the privilege of the House, was not supposed to know what was going on. He had no voice in the House. He was not in any way allowed to explain his conduct, or to produce evidence or precedent in his favour. He could not employ counsel; and the Government, by whose advice the papers were published, and who are his constitutional defenders in the House, either took part against him, or remained in silence and refused him their assistance.

"The Governor was condemned unheard, and an address was presented to him by the House expressing its disapproval of what he had done.

"A criminal, on the other hand, no matter what crimes he may have committed, is, in the first place, by the English law, presumed to be innocent. He is brought face to face with his accusers. He is present at his trial. He may



produce evidence of his innocence, and employ counsel; and even before sentence is passed he is permitted to urge any reasons that he may think fit, in mitigation of his sentence.

"The Governor would ask whether these two cases do not prove incontestably the absolute necessity for the constitutional rule which the Governor contends does exist—namely, That it is the Government, and not the Governor, who must, so long as they remain his Advisers, be solely responsible to Parliament for his acts. Is it not absurd to contend that Her Majesty's representative should be condemned unheard, and that he should be put, as to his defence, in a more unfavourable position than that in which the worst criminal in the colony could possibly be placed?"

"This question as to the extent to which Government are responsible to Parliament for the acts of the Governor is one which cannot possibly be decided in the colony. The Governor has, therefore, decided to forward the whole case for the consideration and decision of the Secretary of State for the Colonies, by whose decision he is bound to abide; and he will have much pleasure in forwarding, at the same time, any representations that the Government may wish to make.

"If the Governor has urged his case somewhat strongly, he begs that Sir George Grey will clearly understand that he looks upon it simply as a political and not a personal question, which he is bound to press to the best of his ability, though, he trusts, without the slightest exaggeration.

"As regards the answer to the House of Representatives, the Governor proposes to send a message something to the effect of the one he encloses.

"In conclusion, the Governor would wish to state that, in reply to a telegram from himself, he has heard from Sir Hercules Robinson that a precedent, which appears very nearly similar, did occur to Lord Belmore, and that his action was approved of by the Secretary of State.

"The Governor wishes to place no stress upon this information, as he has not been able to find the case, and does not know how far it may be parallel; but it is his intention, if the case has been published, to request Sir Hercules Robinson to furnish him with a copy as soon as possible.

"NORMANBY.

"P.S.—Unless the Governor hears that Sir George Grey wishes to make any further remarks, the Governor proposes to send his message to the House of Representatives this evening.

"N.

"Government House,  
Wellington, 8th November, 1877."

No. 8.

"MEMORANDUM FOR HIS EXCELLENCY.

"Ministers respectfully represent to the Governor that the questions which they have had to consider were—Can the Governor, finding that a notice of a vote of want of confidence in the Government has been given, decline to take the advice of his Responsible Advisers on the ground that such a vote is pending? and, Was he justified in holding that he could not accept their

Sir G. Grey

advice until the decision of the Assembly on that vote had been given? If such is the constitutional law, nothing is necessary but to raise successive votes of want of confidence in the Government to enable the Governor to act for long periods of time without Responsible Advisers.

"Ministers respectfully state that they cannot admit that the Governor is responsible to the Secretary of State in this matter; nor can they admit that the question as to the extent to which Government are responsible to the Assembly for the acts of the Governor is one which cannot be decided in New Zealand. On the contrary, they feel it to be their duty respectfully to protest against the points at issue being decided anywhere else, unless the consent of the General Assembly is obtained to the reference of those points to some external authority. The Secretary of State for the Colonies is also, in their opinion, for such a purpose, an authority unknown to the Constitution of New Zealand.

"Ministers would respectfully solicit the attention of the Governor to the 32nd section of the Constitution Act, from which it will be found that the words 'General Assembly' comprise His Excellency the Governor himself, who is by law a constitutional part of that body.

"Ministers respectfully add, that they have already advised His Excellency regarding the message they think he should return to the address of the House of Representatives, and they have nothing to add to that advice.

"G. GREY.

"Wellington, 8th November, 1877."

No. 9.

MEMORANDUM from His Excellency the GOVERNOR to the Hon. Sir GEORGE GREY, K.C.B.

"The Governor acknowledges the receipt of Sir George Grey's further memorandum of this day's date, and he would point out that the Secretary of State is the only constitutional channel through whom the commands of the Crown are conveyed, and who is responsible to the British Parliament for the advice he may give to Her Majesty; and as the Governor, at any rate, feels bound to obey the command of Her Majesty, whom he has the honor to represent in this colony, he still maintains that it is his duty to submit this case for the consideration of the Secretary of State.

"The Governor has referred to the 32nd section of the Constitution Act, to which Sir George Grey has called his attention, and he would point out that it simply places the Governor, as Her Majesty's representative, in exactly the same position as regards the Parliament of New Zealand as that which is held by the Queen as regards the Parliament of England.

"The Governor must adhere to the determination which he has announced to the Government, and will lay the whole correspondence before Parliament this evening; and by next mail he will forward the whole case for the consideration of the Secretary of State for the Colonies.

"NORMANBY.

"Government House,  
Wellington, 8th November, 1877."

Mr. STOUT.—I do not know whether I should be in order in moving that the message and memoranda now read be referred to the same Committee of Privilege, with the view of ascertaining what position this House should take up. It would be proper for the House to say whether it would be right to refer this case to the Secretary of State rather than that it should be dealt with by the House itself. I ask you, Sir, whether, this being an important question of privilege, and as the mail goes out soon, I shall be in order in moving that the message and memoranda be remitted to the same Committee.

Mr. SPEAKER.—I think it would be better if the honorable member were to give notice of motion.

Mr. STOUT.—I would merely point out that Standing Order No. 246 provides for a case like this. It says, "Mr. Speaker shall, unless a previous message be then under consideration, immediately read the message to the House, when, if necessary, a time shall be fixed for taking the same into consideration." Therefore I apprehend that I should be now in order in moving that the message be taken into consideration at a certain time. I put the question to you, Sir, whether or not I should be in order in so doing.

Mr. SPEAKER.—I think the Standing Order to which the honorable member has referred corroborates the view I suggested—that a time should be fixed.

Mr. STOUT.—Then, Sir, I shall move that a time be fixed. Before I conclude my observations, I shall move that the time fixed be to-morrow at half-past two o'clock. I only wish to make a few short remarks on this subject. It seems to me that the questions that have been raised in the memoranda submitted to the House are of a most important character. The question assumes a far larger phase than I imagined it would assume when I first brought the matter under the notice of this House. It is now not only a contest, if I may use the term, between the Governor and this House, but it seems to me that the Governor is anxious that this House should enter into a contest with the Home Government. There was nothing further from my intention than that the matter should be brought up in this manner. I have no desire that there should be a contest between this House and the Home Government; but I consider it my duty as a colonist, and as the representative of a constituency of the colony, to stand up in defence of the rights of the colonists when those rights are being invaded. It seems to me that they are now being invaded, because the position which His Excellency takes up is this: that whether he has or has not committed a breach of the privileges of this House can only be settled by the Secretary of State. I would like to know who he is! We have nothing whatever to do with the Secretary of State. He is not our representative, and he is not responsible to us. The Imperial Parliament having once granted to us a Constitution, until that Constitution is removed we have a right to be governed under the laws we ourselves make. The only position that can be taken up, the only constitutional position, is that when this

Parliament—and by the word "Parliament" I mean not only this House, but His Excellency the Governor himself and the two Houses—when they pass laws, then the constitutional position is that the Queen may or may not assent to them. It seems to me a most unheard-of thing that this Parliament and its privileges are to be at the dictation and the arbitration of a Secretary of State living in London. The thing seems to me perfectly monstrous. You cannot say that you have a Parliament at all if it is to be said for one moment that this sort of thing is to be permitted. Then another large question is raised in these memoranda, and it is this—

Mr. SPEAKER.—I understood the honorable gentleman was only giving notice. The time for making any remarks is when the honorable member brings forward his motion. He is only now intimating that he will do so—that a certain time should be fixed for considering this matter. I would point out to the honorable gentleman that it would be more in accordance with the usages of this House if he would defer making any remarks on this question until he brings forward his motion.

Mr. STOUT.—I was moving that a certain time be fixed, and not merely giving notice. Of course I might move that the question should be taken up to-night if the House requires it. I shall not debate the matter, as you have hinted that I should not. I will only mention another aspect, and I do so now for this reason, and not with the intention of debating it: that, when the message comes to be considered, honorable members, I hope, of all shades of political feeling in this House, will see the importance of the matter that they are discussing. The other point I will mention—I will not comment upon it—is that it seems to me the Governor has assumed a position which is at variance with constitutional government—namely, that the Ministry's sole duty is to support his views; and what the Parliament's views may be seems to be of little importance. As you have decided that I should not debate the matter further, and as I always desire to bow to your ruling—not like some other honorable members—I shall say no more on the subject, but simply move now, That the message and the memoranda from His Excellency be printed and taken into consideration to-morrow at half-past two o'clock.

Mr. ROLLESTON.—I think we shall scarcely be able to consider this matter to-morrow. The papers will hardly be printed to-morrow. I would suggest whether it would not be better to take the discussion on Monday. I would move, That the word "Monday" be substituted.

Mr. REES.—I trust the House will consider it to-morrow.

Mr. STOUT.—The amendment has not been put.

Mr. ROLLESTON.—I do not wish to press it.

Mr. BRANDON.—The question in dispute is not one between the Governor and this House. It is a question relating to the position of Ministers towards the Governor; and it is impossible to consider the matter properly within the short time the papers will be in our hands.

**Mr. BARFF.**—The question is one that should be considered at once, or to-morrow. I may state that the Standing Orders and the practice of the House of Commons distinctly point out that a matter of privilege, which is also a matter of urgency, may be taken into consideration forthwith. Without any notice of motion it would be competent for any honorable member of this House to ask that a matter of privilege should be thus dealt with. I would like to ask any of those honorable gentlemen who object to this being considered a matter of urgency, whether they are prepared to deny that, at any particular time between now and, say, Tuesday—in all probability, before a result was come to by the Committee, Tuesday evening might arrive—I would ask honorable members who differ from me whether the mail steamer might not leave New Zealand, carrying with it the despatches of His Excellency the Governor and taking Home with it no reply from this House. We are drawing towards the close of the session, and it is our bounden duty to vindicate the course we have adopted by a very large majority of the members of this House. It is our bounden duty to allow both sides of the question to be heard. I altogether decline to agree to the proposal of the honorable member for Avon, as I do not wish to see His Excellency's despatches sent Home without our reasons being given on the other side.

**Mr. TRAVERS.**—I understood that the honorable member for Avon was about to move, as an amendment, that the question should be taken into consideration on Monday instead of to-morrow, and I think that it would be well to adopt that course. I do not look upon these memoranda of His Excellency's as in any degree placing himself in antagonism to this House. He has simply said that if he has been guilty of a breach of the privileges of this House it has been through inadvertence and unintentionally; and he says, moreover, that it is the duty of his Ministers in this House to defend him, if necessary, upon the consideration of a question of this kind. If, however, his Ministers say that it is no part of their duty to defend the Governor, we can clearly understand the position of the matter. If Ministers, or any one of them, now get up and say that they do not intend to undertake the defence of His Excellency, or to take part in the discussion in the capacity of His Excellency's Advisers, we can understand the position; but, if we are invited to enter into a conflict with His Excellency by appointing a Committee to send a further expression of opinion to him, we should be discussing in Committee, not whether or not a breach of privilege has been committed or whether we should take some further measure to bring His Excellency on his knees to explain his conduct, but whether His Excellency has taken that course which he is justified in taking with regard to his Constitutional Advisers, and whether they stand in the position in which gentlemen who are His Excellency's Advisers should stand before the people of this colony. I have no hesitation in saying that the position which those gentlemen occupy in reference to this question is not altogether nice. They

have a manifest and plain duty to perform as regards His Excellency. They are his Advisers, and, as His Excellency says, they are quite as responsible as he is for what has appeared on the table of this House as emanating from His Excellency. If His Excellency did consent to lay on the table of this House the memoranda in which, through inadvertence, there was language which this House has properly conceived to be a breach of its privileges, the other party to those memoranda is equally responsible to this House; and I do not hesitate to say that Ministers, in laying those memoranda on the table, were guilty of disrespect to the House. That is the opinion which I have held upon the subject from the commencement, and which I have expressed upon every possible occasion except in my place in this House. I now say that I consider the position which the honorable gentlemen on the Treasury benches occupy in that respect is quite as disrespectful to this House as, if not more so than, that which His Excellency the Governor, through pure inadvertence, has happened to occupy. (Oh, oh!) No doubt honorable members may groan. It is probably difficult for some intelligences to detect the nice distinction between that which is due and that which is not due as between gentleman and gentleman in matters of this kind. But, Sir, there are plenty of honorable members in this House who do know the difference between that which is due and that which is not due as between gentleman and gentleman on such occasions. I can quite appreciate the spirit in which that groan is given. It is the spirit in which the whole proceedings on one side of this House—not the side on which I am speaking—have been conducted: it is the side of the honorable gentlemen who occupy the Treasury benches. I say that a more transparent and patent trap was never laid to catch a gentleman occupying the position which His Excellency occupies in this colony; and I now again assert, as I have said to many honorable members, that it was the duty of Ministers, when they received the message of His Excellency which contained matter that gave occasion to the honorable member for Dunedin City (Mr. Stout) to treat His Excellency's message as a breach of the privileges of this House—I say, if they had been actuated by that honest feeling which Ministers ought to possess towards the gentleman they are advising, they should at once have pointed out to him that his language might be deemed to contain a breach of the privileges of Parliament, and that in all probability that language might lead to some collision between His Excellency and Parliament. But there is nothing more common in the course of party politics than that which is so common in one species of hunting—namely, the dragging of a red-herring across the trail. They were trying to drag this across the vote of want of confidence by bringing His Excellency into collision with the House. The result has been to bring about a thoroughly contemptible condition of things on the part of the gentlemen who occupy the Treasury benches—a position contemptible, Sir, and from which—(Order, order)—

*Mr. Brandon*

Mr. WAKEFIELD.—Sir, I have three times attempted to make my voice heard, but have been unable to do so. The point of order I meant to raise is whether the honorable gentleman has a right to use the word "contemptible" in regard to any honorable members of the House. (Oh, oh!) When honorable members have the decency to be quiet, so that I can be heard, I shall continue to put my question. The point of order on which I desire your ruling, Sir, is whether the honorable member, after hurling all sorts of accusations against the honorable gentlemen on the Government benches, which accusations were quite irrelevant to the question, is entitled to use the word "contemptible" towards them. I ask your ruling, Sir, because no doubt upon that ruling will very much depend the tone of the debate that must follow.

Mr. SPEAKER.—I think some of the terms used by the honorable member were very strong, but it does not necessarily follow that they are unparliamentary. It is, however, very difficult to decide absolutely, because the same terms and expressions when used in one tone of voice convey a very different impression from what they would do if uttered in a different manner. Such expressions can only lead to recrimination, and my advice to the honorable gentleman would be not to use such strong expressions.

Mr. BARFF.—Speaking to another point of order, I would ask whether the honorable member for Wellington City is justified in calling himself a red-berring, and saying that he was dragged across the scent.

Mr. TRAVERS.—I am justified in calling myself what I like; but I do not know what I should call the honorable gentleman if I spoke my mind. Sir, I regret that I should have used any language which was calculated to draw from you even a suggestion of reproof: such a thing is far from my desire. I did not apply the term to the honorable gentlemen on the Treasury benches. I spoke of the position which this matter has assumed in the House. I will, however, withdraw the term, and use "unfortunate." I say the position is unfortunate, and was an unfortunate one as between Ministers and the Governor, and it was an unfortunate position from which they should remember they were to a large extent lifted by the action of this side of the House. I myself, looking upon the passage in His Excellency's message which has been the subject of discussion in the House as a breach of its privileges, willingly took part in the discussion of the matter, moved for a Committee to consider it, took part in the discussions of that Committee, and brought up a report. The speech which I addressed to the House in moving the adoption of that report was characterized by proper and temperate language; and the House, by a large majority, concurred in the report. The course which was then taken was calculated to save the honorable gentlemen who occupy the Treasury benches a considerable amount of embarrassment; but they did not take advantage of the position in which they were placed by that course. There were three courses open to them,

one of which they took, which they should not have taken.

Mr. HAMLIN.—I would ask your ruling, Sir, whether the honorable gentleman is not opening up the whole debate. I should like that to be thoroughly understood, for, if the honorable member is allowed to proceed, I, for one, must consider that the question is fully before the House, and can be discussed from first to last.

Mr. STOUT.—I appeal to the honorable member for Franklin to allow the honorable member for Wellington City to finish his remarks, as I shall then be entitled to reply to him.

Mr. TRAVERS.—I have not raised the question. (Oh, oh!)

Mr. SPEAKER.—A very large question has no doubt been raised, but I put it to the honorable member, whether it is wise to enter into the discussion of it now. It is not, however, for me to stop him—that is a matter for his own judgment; but, so far as his being in order is concerned, he is so. At the same time, the remarks which I ventured to make to the honorable member who moved the motion are, I think, applicable to the honorable gentleman, and I hope will be borne in mind by honorable members who may enter into the debate. If the House enters into a debate now on a question that it is proposed to discuss to-morrow, we shall have two debates, and there will be a waste of the public time.

Mr. TRAVERS.—I do not want to waste the public time, Sir. I have not been discussing the question proposed to be discussed to-morrow—namely, the further course this House should take with reference to the question of the breach of its privileges. I was not discussing the question of privilege at all. I consider it was closed by the correspondence of His Excellency, in which he has stated that, if he has committed a breach of the privileges of the House, he has done so inadvertently. The question which I understand His Excellency intends to refer Home is not merely a question of privilege, but the question of the constitutional relations between himself and his Constitutional Advisers. His Excellency's message is as follows:—

"The Governor regrets that he is unable to give a definite reply to the address presented to him by the House of Representatives announcing the concurrence of the House in the report of a Select Committee appointed to search for precedents and to report to the House in relation to the question of privilege raised by Mr. Stout, 'That the action of His Excellency the Governor, in noticing a matter in agitation or debate in the House as a reason for refusing to accede to advice tendered by his Ministers, was an infringement of the privileges of the House,' because, in the course of a correspondence which has taken place between himself and the Government, which correspondence he now presents to Parliament, a question of constitutional law has arisen, which the Governor considers it is absolutely necessary should be submitted for the consideration of the Secretary of State for the Colonies before he can take upon himself to accept the resolution passed by the House of Representatives."

The Governor is not going to refer the question

of the breach of privilege to the Secretary of State. He is going to refer to the Secretary of State the question of constitutional law which has arisen between himself and his Advisers. Honorable members may say "No, no," but I accept unreservedly the statement His Excellency makes in his message to this House, and I certainly do not think this House is prepared, when His Excellency makes a statement of that kind, to receive the denial of any honorable members of this House on that point. His Excellency has stated what he proposes to do. He says, "The Governor begs to assure the House that he does this out of no disrespect to their decision, but simply in defence of what he believes to be a most important constitutional principle." He is not referring to the question of privilege as between himself and this House; he is referring solely to the question whether or not his Ministers, sitting in this House, are or are not obliged to take one of two courses—either to resign, because his Excellency declines to accept their advice, or to take upon themselves the duty of defending His Excellency in this House, he having no other representative here. That is the question that he is about to refer to the Secretary of State. A careful consideration of the correspondence will show that His Excellency, before giving a definite answer to the resolution of this House, wishes to obtain the opinion of the Secretary of State upon an important constitutional question. I was not in any degree discussing the question of privilege, and I conceive that a proposition to refer this message to the Committee which formerly decided the question of privilege is in no degree appropriate to the occasion. I will go no further with my remarks. I will conclude by proposing, as an amendment to the motion of the honorable member for Dunedin City, That the consideration of His Excellency's message be taken at half-past seven o'clock p.m. on Monday.

Mr. REES.—I do not intend to enter into the consideration of the main subject itself; but I should like to point out that the honorable member for Wellington City has absolutely misstated the meaning of His Excellency's message. The meaning is not what he states it to be. It is a message which passes by His Excellency's Constitutional Advisers altogether. It has nothing whatever to do with them. It is a distinct reference to this House, and to nobody else. It says this:—

"The Governor regrets that he is unable to give a definite reply to the address presented to him by the House of Representatives announcing the concurrence of the House in the report of a Select Committee appointed to search for precedents and to report to the House in relation to the question of privilege raised by Mr. Stout, 'That the action of His Excellency the Governor, in noticing a matter in agitation or debate in the House as a reason for refusing to accede to advice tendered by his Ministers, was an infringement of the privileges of the House,' because, in the course of a correspondence which has taken place between himself and the Government, which correspondence he now presents to Parliament, a

question of constitutional law has arisen, which the Governor considers it is absolutely necessary should be submitted for the consideration of the Secretary of State for the Colonies before he can take upon himself to accept the resolution passed by the House of Representatives."

That has nothing whatever to do, even in a remote degree, with the relations between the Governor and his Ministers. It is a question between the Governor, as representing the Crown, and this House, as representing the people. The Governor distinctly says—and I wonder how any honorable gentleman could attempt to put any other construction upon the words—he distinctly says that he is unable to give an answer to the resolution of the House until he has referred the matter to the Secretary of State—that his Constitutional Advisers have nothing to do with that. I suppose we can only attribute the honorable gentleman's action to-night to the cause, whatever it may be, which makes him state one thing to-day and a totally different thing to-morrow. There is hardly a debate which takes place, hardly a week passes by, in which the honorable gentleman does not blow fiery-hot to-day and icy-cold to-morrow. Why, Sir, upon this very question the honorable gentleman stated in the Committee exactly the opposite of what he has stated to-night.

Mr. SPEAKER.—The honorable gentleman is not in order in referring to what took place at the meetings of the Committee.

Mr. REES.—It was the honorable gentleman who moved in this House for the appointment of the Committee. It was he who selected the members, being one himself. He was the person who brought up the report. He was the person who moved that the address should be presented to His Excellency. Why, then, does he now say that this is a matter between His Excellency and his Ministers? He moved that the question should be referred to His Excellency for his answer; and, now that the Governor says, "I will not receive your address; I will refer it to the Secretary of State," the honorable gentleman says it is a deliberate trap laid for His Excellency the Governor. Did he say that when he moved the adoption of the report? Not at all. He said an offence was committed when His Excellency took notice of matters in agitation and debate. Then the honorable gentleman was right; now he is wrong. He is like a person who is ready to put a thing up with his right hand and knock it down with his left. Sir, it has been pointed out by all historical writers of modern times—men like Mr. Goldwin Smith, and others of equally high standing—that there are always to be found connected with colonial institutions, especially around Government House, a class of persons who will never see anything except with the eyes of officialism; that, either through some courtesy shown to them or some favouritism—whether a thing proposed to be done is right or wrong is a matter of perfect indifference to them—they are always prepared to stand up for the rights of Royalty as against the rights of the people. We could not have had a better illustration of that

Mr. Travers

than we have had to-night. When the matter was fresh, when the honorable gentleman appealed to the more ingenuous portion of his nature, he stated that the question was one entirely between this House and the Governor; but now the old feeling has come back upon him he absolutely speaks of the position of Ministers as contemptible because they take up the position he took up two days ago.

Mr. TRAVERS.—I stated that the very first resolution submitted to the Committee, which was proposed by Mr. Stout, was to this effect: "That this Committee do not consider it necessary to proceed to investigate the fitness or unfitness of Mr. Wilson, nor as to any difference of opinion between His Excellency and his Ministers not affecting the privileges of the House." That was carried.

Mr. REES.—And in the Committee a proposal was made by the honorable member for Cheviot that the question should be opened up again, so that Ministers might be censured. Mr. Stout also proposed that it should be opened up again, in order that Ministers should be censured, if necessary; and the honorable gentleman voted against it. Yet he comes down here, and in a simulated tone of indignation—

Mr. TRAVERS.—It was not in the order of reference.

Mr. REES.—I should like to know whether it was in the order of reference that the honorable gentleman should take up one position one day and come down the next day and take up another. Why, Sir, if the honorable gentleman and his "affinities" had the best reputations ever possessed by political men their conduct during the past fortnight would have torn those reputations to tatters. Nobody need ever be surprised at the position which the honorable gentleman takes up at any time, because we can never tell when his language has got the bit in its teeth, as it were, and his words are running away with him. The honorable member forgets the words he uses, and it is not at all surprising, therefore, that he should take up one position to-day and another to-morrow. Sir, the meaning of the Governor's message is distinct and clear. I do not intend to enter into the consideration of the constitutional question, but I may say that I warned those honorable members of this House who were members of the Committee that, if they carried a certain resolution which they wished to carry, the result would be that they would set in motion principles and actions which they would not be able to stay, and that they would be lighting a fire which would consume things they did not know of. I think we ought to consider this matter at once. The message means that the Governor considers it his duty to lay his hand on the privileges of this House, and that he will only regard the privileges and liberties of this House as they are laid down to him by the Secretary of State. Sir, if that principle be admitted we may as well tear the Constitution Act to pieces and scatter it to the winds. If we are to be at the mercy of the Secretary of State we have no Constitution whatever.

Mr. BRANDON.—I should like to know

whether the honorable member is not travelling outside the question.

Sir G. GREY.—Rising to a point of order, Sir, I may say that I hardly understand the question raised by the honorable member for the Wellington Country District. Most serious accusations have been made against myself and my colleagues, and, as the whole question was discussed by the honorable member for Wellington City (Mr. Travers), I apprehend that honorable gentlemen on this side of the House should be allowed some latitude.

Mr. SPEAKER.—There is no doubt that this debate is drifting into the state of which I warned the House.

Mr. REES.—I would not have spoken if it had not been for the intemperate language used and the gross accusations made by the honorable member for Wellington City against Ministers and their followers in regard to this matter, and I should have thought that the honorable member for Wellington Country District would have seen the drift of my arguments. I was urging that this matter should be considered at once, irrespective of party feeling. There ought to be but one party in relation to any question of this sort. All differences ought to be sunk here. On such an occasion as this we ought to stand upon one common platform, and calmly consider what our duty is in relation to the people. I believe this is about the greatest question that has ever come before any Colonial Parliament. We are now set face to face with the question whether we are to be governed by the Constitution which the Imperial Parliament gave us, or whether we are to be at the mercy of any Secretary of State who may be temporarily in office at Home. This is a question which concerns the people to the greatest possible extent. The honorable member for Wellington City has referred to this as the most deliberate trap that ever was set. Where is the trap? If there is any trap the honorable gentleman himself set it. I shall not at present enter into any comparison as to the respective merits of the Governor and the Government. The question must divide itself into two parts—first, the constitutional position of the representative of Royalty and his sworn Advisers; and, secondly, the position of the Governor as the representative of the Queen and this House; and I think it will well become the House, after giving the matter full consideration, to finally determine those questions. I think the correspondence which has been read could be printed by to-morrow morning, and when the House next meets we should be in a position to discuss the whole question. I urge upon this House, in the best interests of the people of the country, in the interests of Ministers, and in the interests even of His Excellency himself, that it is its duty to consider this question carefully and well. We should make ourselves acquainted with all the precedents we can get, and then give a fair and unbiassed decision. I ask the House for once to cast aside all party feelings and ties, and to do its duty properly to the people it represents.

Mr. GISBORNE.—It seems rather singular

that we should be asking for time to consider this question and at the same time be prejudging it. It appears that we are castigating the Governor first and trying him afterwards. I do not understand, from the correspondence, that the Governor proposes to refer the question of the breach of privilege to the Secretary of State. All I understand His Excellency to say is that, as the House has brought him directly to account for an alleged breach of privilege, and as he has consequently been placed in a rather peculiar constitutional position, he wishes to get the opinion of the Secretary of State before he gives a definite reply to the message which he received from this House. That is an altogether different thing from remitting the question of breach of privilege to the Secretary of State. I think the Governor is right in holding the opinion that, if he refuses to act on the advice of his Ministers, and if they do not resign in consequence, they must accept his actions. I believe that a Ministry who allow the Governor to refuse to take their advice without tendering their resignations, place themselves even in the position of having to defend his actions. Otherwise we should have two parties to contend points with, because the most serious consequences might arise through the most trivial action of the Governor, when he had acted without taking the advice of his Ministers. Therefore we should, in such a case, have two parties responsible to us—the Ministry and the Governor. Ministers must defend the action of the Governor, but they have always the right to resign and refuse to advise the Governor any longer. If they resigned, the House would ask why they had done so; and they would reply that it was because the Governor had refused to take their advice. After they had resigned the Governor must yield the point originally in dispute, or get a Ministry which would justify his action. I shall not now enter into the question of breach of privilege, or of the position of Ministers with regard to the Governor. I think we should be better able to discuss the question to-morrow. I say this because we have been told that the Government do not wish to go on with Government business to-morrow, and it was for that reason that I voted for the adjournment over to-morrow. I understand that in all probability they will not be able to go on with their business until Monday next. Of course honorable gentlemen who are attacked have a perfect right to defend themselves, but I hope that the discussion will not be carried on further until we have the printed correspondence in our hands. We may then discuss the matter with calmness, and we shall then be better able to do justice to all parties.

Mr. REYNOLDS. — I think that even the honorable member for Wellington City will admit, if he looks calmly at the matter, that it would be better to take this question into consideration to-morrow, if it should be taken at all. There is no necessity for any delay. The papers can be printed to-night and placed in the hands of honorable members early to-morrow, so that they may have an opportunity of reading over the

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whole of the correspondence, and can come down to the House at half-past two o'clock prepared to consider the question. The matter should be taken into consideration at the earliest possible moment, out of courtesy to His Excellency the Governor. Then there is another reason. As I understood from the correspondence, His Excellency invited the House, or the Ministry, I am not sure which, to offer any remarks they pleased, so that they might be forwarded along with his own despatch to the Secretary of State. If the House is to deal with the matter at all, it is well that its opinion should be given to His Excellency at the earliest possible date. The San Francisco mail will be leaving in a few days, and, if the consideration of the question is delayed until Monday, it will be Tuesday before the Committee can sit, and perhaps Wednesday or even Thursday before the Committee's report can be brought up. I think that there has been a great deal too much made of the question. A great part of the session has been taken up with questions of privilege, disqualification, and votes of want of confidence. There has been a large amount of time wasted; and most of these questions that have been brought before the House have been brought forward too hastily—the time has been inopportune at which to discuss them, even if it were necessary to bring them forward at all. I was going to say that I feel astonished at the remarks of the honorable member for Wellington City; but I ought not to be astonished at any remarks made by him. I have had the honor of knowing the honorable gentleman for a considerable number of years, and I have always found that what he states to-day is very likely to be reversed to-morrow. It is to be regretted that the honorable member is not more stable than he is. I trust it is only a little ebullition of temper that he has given way to on the present occasion, and that to-morrow he will consider the matter calmly and coolly, and give every assistance—not as a party man, because it should not be a party question—to bring the House out of the scrape which I believe it is in.

Mr. WHITAKER.—I do not propose now to enter into a discussion of these important questions, because I think they require very careful consideration. It is quite true that there are two questions raised, but it is very difficult to see the bearing of each question at present, having only just heard the correspondence read; and, for my part, I altogether object to go into the matter too hastily. I desire that we should have the papers before us and have time to give proper consideration to them. After these papers are printed they will probably be placed in our hands as we come into the House to-morrow, and I ask whether or not we shall have sufficient time to give them that consideration which they appear to me to deserve. The honorable member for Auckland City East impressed upon us that these were very important questions, that they should receive the careful consideration of this House, and not a party consideration; but then he went on to hurry us, and proposed that we should proceed with the discussion to-morrow,

before we have had sufficient time to consider the correspondence. I think that is rather inconsistent. If the matter is so important that we should consider these papers properly, and give careful consideration to them, I think he was wrong in pressing us to deal with it so hastily as to take it to-morrow. I hope, therefore, that the amendment of the honorable member for Wellington City will be accepted. I have only one word to say to my honorable friend the member for Port Chalmers. He is the last man who should talk about changes of opinion. He sits there as the most notable example of a man who can change his opinion, and I think he is fairly entitled—adopting a word which has been used in this House as a proper mode of expression—to be called one of the principal apostates. I do not wish to discuss this matter at any length now, but I ask the House quietly and calmly to let the matter stand over until Monday afternoon, at half-past seven o'clock. We can get the papers printed to-morrow, and shall have them in our hands a sufficient time to enable us to consider them as they deserve.

Mr. SHEEHAN.—The honorable gentleman who has just sat down has called the honorable member for Port Chalmers the principal apostate. I rather liken him to a certain person who, going down to Jerusalem, fell among thieves. He was amongst them for several years, until the Government took him in hand and bound up his wounds. I will propose a solution of this difficulty which, perhaps, will have the consent of the House—namely, that we adjourn the House till half-past seven o'clock to-morrow evening, by which time all the papers will be in print. My honorable friend opposite shakes his head. It is our misfortune to have a hungry Opposition—a famishing Opposition. The Indian famine is not “a circumstance” to it. There ought to be a subscription started in the House for them. If something of that kind is not done they will be famishing by the political road-side. I shall make the proposal I have indicated presently; but in the meantime I desire to refer to what has taken place in the present debate. The honorable member for Wellington City (Mr. Travers) moved in this matter when it was first brought up; he proposed the appointment of the Committee, he went to that Committee, took part in its debates, and, when the report was brought up, said that, although he was not present when it was adopted by the Committee, yet he entirely concurred in it; and yet he stands up to-night and calls that report in question. The honorable gentleman's action reminds me of a certain momentous occasion about eighteen and a half centuries ago, when the greatest sacrifice the world ever saw was about to be finished. There was an Apostle called Peter, and he was very loud in his protestations of faith, and was angry when he was told that he would deny himself three times before the cock crew. The honorable member is Saint Peter. He will deny himself ten times before the cock crows to-morrow morning. Sir, the honorable gentleman is a will-o'-the-wisp. You never know when you have him. He is here, there, and everywhere—with us to-day, with the

Opposition to-morrow; with himself one day, with the man in the street the next. If I were to repeat what one hears in the lobbies, I believe I should make the honorable gentleman do what he has not done for the last twenty years for political causes—I should make him blush. My honorable friend told us that there are people in this House who do not know what is due between gentlemen and gentlemen. Who are the gentlemen to whom he refers? I suppose all the virtue is on the Opposition side, and I presume that, now the honorable gentleman has made up his mind which way he will go, all the gentility is there also. I do not happen to be of that class which calls itself gentlemen:

When Adam delved and Eve span,  
Who was then the gentleman?

It is no assertion of the kind the honorable member referred to that makes a man a gentleman. It is his acting straightforwardly, sticking to his word, standing by his party, and abnegating self. We are told that in this matter we laid a palpable and patent trap for His Excellency the Governor. To that statement I give, as far as I can within the limits of the Standing Orders, the most emphatic denial. I say it is absolutely untrue. My honorable friend the member at the head of the Government has been charged time after time with being anxious to break up the Empire, and, above all things, to promote a conflict with the Governor. I say that he of all the members of the Cabinet is the least to blame and the least responsible for the advice given to the Governor as to the appointment of Mr. Wilson, and that the accusation made by the honorable member and by those who back him up in making it is cowardly, unjustifiable, and entirely apart from the facts.

Mr. TRAVERS.—I suggested that as the reason.

Mr. SHEEHAN.—My honorable friend belongs to the same profession as myself, only that he appears to differ from me in this respect, that when he comes to this House he forgets that he has not got a brief. If I were in Court, I would like to make the best for my client; but in this House I cease to be an advocate and become a judge, and on all questions of this kind forget party and do not allow party spirit to actuate me. The honorable gentleman spoke of the honest feelings Ministers ought to possess. Sir, ought there to be no honesty in the Opposition? Ought there to be no honesty in what I may term the last seven bones of its tail? Should not those seven joints wriggle with something like honesty about them? I think they ought. I think that Ministers and their party and the Opposition properly so called can afford to stand on one side and leave the honorable gentleman and his friends to defend themselves from the charge of want of honesty in doing their work in this House. We have heard much about apostacy. I say, at once and frankly, that if those honorable gentlemen had taken up their stand when we met as a party some few days ago to elect a chief in a room in this building, if they had left that party at once and for ever, I would have got up in my place and attempted to



justify their doing so, because there had been, so far as they were concerned, a departure from the principles upon which that party was formed. But they did not do so. They did not, perhaps, remain in the room; but they came one by one to myself and others and repeated their pledges, and they said, "No matter what happens, we will support the party until the end of the session." My honorable friend the member for Totara, whose moderation I admire, said to me and to others, "Even if you put in six pairs of old shoes, I will vote for you to the end of the session." (No.) I will not quarrel about terms.

Mr. GISBORNE.—I never had any private conversation with the honorable member on the subject.

Mr. SHEEHAN.—I am not speaking of a private conversation, but of what the honorable gentleman said to myself and others. So far as I remember, it was said at the very caucus.

Mr. GISBORNE.—No.

Mr. SHEEHAN.—Well, the honorable gentleman gave his promise to certain people. The honorable member for Avon gave the same promise. (No.) I heard the honorable gentleman myself say so. The honorable member may have made a reservation the same as the honorable member for Totara and the others.

Mr. ROLLESTON.—I absolutely dissociated myself from the whole proceeding.

Mr. SHEEHAN.—My honorable friend is speaking of that particular day. He was angry on that day, for certain things had not happened according to his expectations. On that evening he began to repent. On the following day he was in what I may call a state of grace, and distinctly promised that he would support the present Government to the end of the session, so long as they made no departure from certain fixed principles known to himself. I am reminded of what took place not very long ago in the Parliament of New South Wales. In that Parliament there were two well-defined parties, consisting altogether of about three-fourths, or perhaps four-fifths, of the House. But there was an undescribed, a nondescript party, consisting of some seven or eight members, who fought for their own ends. An honorable gentleman suggests the "seven devils." Seven devils under the circumstances would have behaved far better. What happened in New South Wales? No matter what party came into power, unless this nondescript party had a large share of what was going they went over to the other side at once, and there was another crisis. When that crisis was over and a new Ministry formed, if the nondescript party had not again a very large share, they went over again. The result was that the expression of opinion of a large majority of the House was nullified by a numerically contemptible and insignificant part of the House. The Governor was asked for a dissolution, and he agreed to dissolve, but gave as his reasons that, while there were two well-defined parties composed of the great bulk of the House, there was one section giving allegiance to neither party, and which, by giving its vote to one side or the other, was able to prevent all possible good Parliamentary government.

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That is our position at the present time. There is a section of this House which shifts its political opinions and faith exactly as one might drink off a glass of wine, with as much pleasure and with as little thought. So long as that is the case it is impossible to have any good Parliamentary government. My honorable friend talks about drawing a red-herring across the scent. Well, if there be any man who knows how to get hold of a red-herring and to draw it across the scent I think he is that person. If any person has a specialty in that direction I give the palm to the honorable member for Wellington City (Mr. Travers). We have drawn no red-herring across the scent. He himself was the very first who raised the question after the honorable member for Dunedin City, and he pushed it to an extreme. He proposed it should be sent to a Committee, and helped to get the House adjourned. What did the honorable member mean by repudiating his own action? The honorable gentleman speaks about our position being a contemptible one.

Mr. TRAVERS.—I did not say so.

Mr. SHEEHAN.—The honorable gentleman spoke decidedly, and I think, Sir, was checked by you.

Mr. TRAVERS.—If I may be permitted, I would state that I did not refer to the Government. I said the position of this question in this House was contemptible.

Mr. SHEEHAN.—The honorable gentleman used the expression several times; and I appeal to the House.

Mr. WHITAKER.—I rise to a point of order. I believe it is a standing rule in this House that, when an honorable gentleman retracts what he has said, then nothing further is to be said about it. The honorable member for Wellington City did retract. He withdrew the word "contemptible" and substituted another word; and it is contrary to all Parliamentary practice to now refer to that remark.

Mr. SPEAKER.—The honorable member for Wellington City, on being remonstrated with, did formally withdraw the expression, and I do not think it should be subsequently commented upon.

Mr. SHEEHAN.—I yield, of course, to your ruling. I do not think, Sir, you have had to call me to order many times since you have been in the chair. The honorable gentleman did use the expression. Now it is said he has withdrawn it. Of course he will withdraw anything, and this expression amongst the rest. But I will suppose he said so. I will suppose he applied the term "contemptible" to the Ministry. I will put it as a supposititious case, and I will ask the House to contrast our behaviour with his, and let members on both sides draw the moral for themselves. We understand correctly what is our position as responsible Ministers of this colony. We are not here for the purpose of supporting His Excellency the Governor. We are really to act as a Committee of this House during the recess, to advise His Excellency with respect to the governing of the colony. If I were to understand that I became a Minister to support the Governor against this House, I would throw the position

to the winds in a moment. I say at once that, if His Excellency came into collision with this House upon a matter on which we advised him, and if he did so in consequence of following our advice, we should fight for him to the bitter end. If we advised him in a particular course which brought him into conflict with this House we should be unworthy of our position, or of the confidence of this House, if we did not fight for him shoulder to shoulder. But what is the present position? What is the present conflict? It arises out of the fact that the Governor disregarded the advice of his Ministers. He absolutely refused to proceed on our advice, and put us in such a position that we cannot take his part in this House. I put it to the House fairly: Ought we to be bound to defend His Excellency's conduct in this House except it appears that his conduct is in accordance with the advice of Ministers? I would put an extreme case: Let us suppose that His Excellency committed murder, high treason, or some other offence known to the law. Should we be bound to back him up in this House on that point? Certainly not. And when he leaves the strictly constitutional path—when he goes against the advice of his Ministers—he ought to look out for himself. Now, it has been distinctly and clearly settled by this House that, in rejecting the advice of his Ministers in regard to a particular matter on the grounds given in his memorandum, he departed from constitutional practice and committed a breach of privilege. That is clear; and I say at once, so far as I am concerned, I will refuse to go outside this House to a third and irresponsible party to settle for us what are our privileges. We settle that for ourselves. We know our privileges. They are strictly defined by the Standing Orders and May's "Parliamentary Practice;" and, beyond all doubt, whoever holds the position of Governor in this colony has no right to take notice of what takes place in the House before it is brought under his notice by message or other official intimation. We have been told that we ought to resign on our advice being refused. Sir, I smiled inwardly when I heard that suggestion. When I look back at the fight we had for three or four years to get a position on these seats for our party, I am not disposed to give up our position for a small thing of that kind. If we are to be turned out, let us be beaten on a large question of policy. I can assure honorable gentlemen on the other side that we shall not be entrapped. We have been accused of trying to entrap people, but we shall not be entrapped ourselves. When we resign our position it will be after a fair fight. What I would point out to the House is this: It has been clearly put that the Governor occupies an equal position with the Upper House and the Lower House, and that these three distinct bodies form the General Assembly of this colony. Now, it has been said that the Governor has been tried without being heard, and that even the commonest criminal is entitled to be heard up to the moment of the passing of his sentence. But, supposing that this House is in conflict with the Upper House, are they heard here? Cer-

tainly not. The honorable member for Egmont shakes his head after the fashion of Lord Burleigh—I know him too well to say there is nothing in it—but I say at once that the position of the Council is in no respect different.

Mr. GISBORNE.—They have conferences.

Mr. SHEEHAN.—So has the Governor. He has conferences with Ministers, and he has conferences with this House by means of messages. I think that plea is one that cannot be heard for a moment. He is an individual branch of the Legislature. He can take his own stand, and he can dismiss Ministers to-morrow if he thinks proper. Let him take that responsibility if he thinks it right to do so. Now, I put it to the House as a matter of fair-play. To-day we asked the House to postpone the Government business until next Monday. If I had not thought the honorable member for the Thames was to reply on the question, I would myself have pointed out the reasons for that motion. They were partly personal and partly general reasons. For the last seven or eight days I have been out of the running, and have been unable to work or do any business. If we are to do Government business I would be very glad to have one day to myself to discuss the Bills with the officers who prepared them. Furthermore, I may say at once we have had a very uneasy time since we have been in office. How it comes about I do not know. But honorable gentlemen, on leaving these benches, cast a "longing, lingering look behind," and are eagerly looking forward to the moment when they may get back. They have disturbed the course of public business; and clearly they have as much right to put us out as we had to put them out. At the same time, honorable gentlemen know perfectly well that, with a want-of-confidence motion hanging over the head of the Government, it is impossible to go on with the ordinary business of the country. For various reasons the honorable gentleman's party were unsuccessful with one motion, and it appears they considered it to be the duty of the Government party to send cabs round to the absent members of the Opposition inviting them to be present at the House at half-past two sharp in order to take part in the discussion. I take it that he should look after his own men as we take care of ours. However, seeing that the gentlemen absent were the honorable member for Wellington City (Mr. Travers) and the honorable member for Totara, I think a reasonable doubt might be entertained as to how they would have voted had they been here. I would not like to bet an even pound as to how they would vote. I say that the position now is entirely different. We fought a fair fight—first, in putting them out; and, secondly, in keeping ourselves in. But if we are to have chronic votes of want of confidence we must put our foot on these things. We do not come here for the enjoyment of the citizens of Wellington; we have more serious work. The honorable member for Egmont no doubt feels *pouri*, as the Maoris say, when he walks the streets as a private citizen, and finds himself no longer saluted and "kotowed" as he used to be when a Minister. But, in spite of

my personal friendship for him, I must prefer the interests of the country to him, and if he proposes a dozen votes of want of confidence we intend to let them come in the ordinary course. Formerly the whole burden of the honorable gentleman's speeches used to be that the Opposition were talking against time and obstructing business. Well, what is the position of the Opposition at the present time? Are they obstructing business, talking against time, and acting like a factious Opposition? Not by any means. They have a strong opinion that the honorable member for Egmont is the only salvation the country possesses, and that those people who happen to cling around him are the only people capable with him of governing the country. We are a protest against that idea. We are a protest against the idea that the power to govern the country is centered in the hands of a few people in this House. And it is on that footing that we are supported, as we are now, by three-fourths of the population of the colony. And I say this much: that if the honorable gentleman and his party were to go to the country to-morrow they would remain in the country. They would not come back here again. They can take their turn if they think proper. Let them join with us to-night and ask the Governor to give us a dissolution. I think I might say, without being offensive to my honorable friend the member for Egmont, that he would, in such a case, be left to look after his private affairs. I say, again, that, if the Opposition mean business, if they mean really to have a fair fight, then, at this stage of the session, they ought not to obstruct the public business of the country. We are prepared to go on with the business on Monday, to take up every Bill on the Paper and deal with it as we may be advised. And, furthermore, it is only perfectly fair that the House should vote for the adjournment asked for until Monday to enable us to go on with the business. It is not our fault that we are not able to go on to-morrow; the conduct of the honorable gentleman opposite prevented us from doing so. I put it on a benevolent and charitable footing. I think my honorable friend is entitled to some rest. He has been flitting about like the Wandering Jew. He has had no ease or nourishment. He has had no peace of mind for a moment. He is to be found in the House and within its precincts at all possible times. No matter what may be the wear and tear of the members of the Government, some regard ought to be shown to the devoted leader of the Opposition. I am glad that my honorable friend has been officially announced to be leader of the Opposition, for if I had not known it from himself and his party I should have looked upon him as the principal Opposition whip. I may say at once that I would not lend myself to any proceeding that would cast a reflection on the Governor. I look upon it, to my mind, in this free country, living under our free institutions, that any such course as that would be one of the greatest crimes and blunders which the Parliament could commit. There may be reforms in the law proposed and carried out; there may be changes in the representation and

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mode of taxation; but, on the whole, I maintain that there cannot be a freer country in the world than is this colony. I look upon the bond that binds us to the mother-country in the person of the Governor as one of the best features in our Constitution. I would never be one to consent to part with that connecting link, nor would I be a party to throw upon him any contempt or obloquy whatever. I say at once, for myself and my colleagues, that in no sense whatever have we attempted in any way to throw the slightest censure or cast the slightest indignity upon His Excellency the Governor. The advice given by us was given in the most perfect good faith, coming in, as we did, with the majority of this House, and having no reason to believe that we should be in a minority. For my own part I feel exceedingly sorry that the reply made by the Governor was such as to my mind to lay him open to the censure this House has put upon him. We wish to raise no quarrel with him. We had no desire to raise a question that might lead to a quarrel between this House and the executive head of the colony. That being the case, I think I may fairly ask the House to consent to the proposal made—namely, to adjourn the debate on this question until such time as the papers are printed. They are very voluminous, and it is impossible that the House can consider the question properly until honorable members have had the printed papers before them. I promise you, Sir, and the House, that every effort shall be made to get these papers printed as early as possible to-morrow, so that before half-past seven o'clock honorable members may have some hours to study the papers. This will save time, and it will enable us to spend the day in arranging the Government business to come before the House during next week. We shall thus be able to kill two birds with one stone. I would ask the honorable member to reflect on Mount Egmont, the central feature of his district and one of the loveliest and highest mountains in New Zealand. I would ask him to take a high view of this question—to raise himself above the limit of perpetual snow, if possible—to sink all party considerations, and allow us the reasonable time we are entitled to for considering those large public questions now before the House. I will refer to one question which, in his mind, is most important—the Land Bill. In respect to that Bill, I may say that there is no one more desirous than I am to have that Bill carried through and made law, if possible, this session. I would ask him to give me fair, reasonable time to consider that Bill, so that, with his assistance and the assistance of his late colleagues, we may be able to pass this measure. If I remember aright, when the honorable member brought forward his no-confidence motion he gave it as almost the only reason why we should not remain in office that we were disposed to object to and shelve, if possible, a liberal Land Bill. Now, if he will give us anything like reasonable time we will show that his objection upon that score is entirely undeserved and unmerited. I put it to him, if he is as strong as a giant, not to use his strength as some giants are disposed to do. Let him deal

with us gently and fairly. If he wants concessions from the Government in respect to his own matters let him and his party show us some consideration, so that the Ministry and the House, notwithstanding any party conflict that may be raging, may endeavour as far as possible to carry on the business of the country. If he will meet us in a friendly spirit, we, possibly, will meet him in a similar spirit; but, if he is disposed to do as he has tried to do to-day, to prevent business being done, then that means that there will be "war to the knife." We know what our present party is. They were in opposition for some three or four years. If it comes to a question of "war to the knife"—if we have to fight step by step, inch by inch—there are in our ranks honorable members who before this have led us to victory, and who will lead us to victory again. I would ask whether, at this stage of the session, we might not possibly sink purely personal recriminations, purely selfish motives, and take up matters from a broader, a more patriotic and popular basis. If my honorable friend approves of these sentiments, and they are agreeable to him, he will meet me fairly by consenting to an adjournment of the debate until half-past seven o'clock to-morrow.

Major ATKINSON.—What about Motion No. 3?

Mr. SHEEHAN.—Well, No. 3 must be discussed on its merits. It happens just now to be in a bog. My honorable friend will have, in the course of the next few days, to put an advertisement in the evening paper asking where No. 3 has gone to. So far as I can see at present, No. 3 will in a few days become No. 80. If he is generous, if he is considerate, looking at the immense power he has at present, if he is merciful, it is possible that those who have control over No. 3, which is in the position of a neglected and criminal child at present—it is possible that those persons may be disposed to deal with that infant tenderly, not to subject it to what is known as baby-farming, but to give it a fair chance of existence. I am sorry for taking up the time of the House so long. I rose to protest against the severe philippic of the honorable member for Wellington City (Mr. Travers), which is clearly undeserved, unfounded, and, I may say, entirely in contradiction with himself. I rose to defend myself and my colleagues against the charge of being a party to attacking His Excellency. Such a charge is entirely without foundation; it is absolutely contrary to our ideas and wishes; it is a course to which I, for one, would never consent to be a party. I rose to defend ourselves from the charge that we occupy in this matter a worse position than the Governor. I take it for granted that we are the trustees and custodians of the honor of this House, and, no matter how it may affect the Governor's position, we were bound to protect the privileges of the House. So soon as we considered that the Governor had infringed those privileges we put the matter before the House at the earliest possible moment. Having defended ourselves against the unfounded charges made against us, I shall not further take up the time of the House. I do trust that the honorable gentlemen on the opposite side will see their

way to support the proposal I have made. To-morrow being a public holiday there will not be a single person at work. Every public office and institution in the town will be taking a holiday. I go further and say that in no part of the British dominions will there be a single legislative body sitting to-morrow; so strong is their patriotic and loyal feeling that every one of them will keep that day loyally on account of its being the birthday of the Queen's son, the person who will afterwards, in the ordinary course of events, be the Ruler of our Empire. My honorable friend, when he remembers that we are charged with being a party of radicals, people who are going to burst up large estates, and who meditate breaking off connection with the mother-country and establishing a republic, ought to set us a good example. He ought to show us the way in which we should go. It would have been better for him to-day to have got up and proposed the adjournment rather than my honorable friend the Premier, who is said to hold such radical opinions. Such a motion came from him with a very bad grace. If the honorable gentleman had even seconded the motion, as he ought to have done, he would then have been in his proper place. I may say, finally, for myself that I cannot help recollecting the time when the honorable gentleman figured in Taranaki with his banner waving at the head of his troops under the lofty shadow of Mount Egmont. The honorable gentleman seems to have forgotten those times. He has sunk the military in the political character. He has forgotten that he holds Her Majesty's commission. At the same time I think it is a pity that he should not have set a good example to the rest of the colony and to the rest of the Empire by supporting the motion brought forward by my honorable friend; it is a pity that he should, for the sake of a fight for office, from an unseemly greed for office, from a desire to occupy again the position of a Minister, have taken the course he has adopted of opposing the motion. I think the honorable gentleman, from the position he has held, ought to be above such things as that. I trust that we shall discuss this question entirely apart from any party considerations, and merely with a view of ascertaining what is the position of this House in regard to His Excellency the Governor. And, even if it should turn out that a majority of this House think that Ministers are to blame rather than the Governor, I must say that this is a question which should not be discussed from a party point of view, and I will be prepared to accept and abide by the sentence of the House.

Major ATKINSON.—Sir, in regard to the special question now under consideration—namely, whether we should consider this message from His Excellency and the correspondence between His Excellency and Ministers to-morrow or on Monday—I think that abundant reason has been shown why it would be very unsatisfactory to consider them to-morrow. If they are so important as some honorable members seem to think, we could not possibly consider them properly between the time at which they are printed and the hour of sitting at half-past two to-

morrow. I therefore think it would be wise to postpone the consideration of them until half-past two on Monday. The speech which the honorable gentleman has delivered, and especially that part in which he made direct reference to myself, has thrown considerable light on the present position, and allows me to see my way to adjourn to-morrow, and to get over all the difficulties that may be in our road. It is agreed on both sides that neither of us wishes to waste any more time. The honorable gentleman, like myself and others on this side of the House, is desirous of meeting and facing the difficulties at once.

Mr. STOUT.—What difficulty?

Major ATKINSON.—Any difficulty that may be in the way of carrying on public business. The honorable gentleman is desirous of facing and getting over any such difficulty. I will submit a proposition which will remove all difficulties. If the honorable gentleman is prepared to take a division upon the want-of-confidence motion to-night—(Oh, oh!)—I am putting him to the practical proof. I am prepared to go to a division upon that motion within ten minutes. Then we can adjourn till Monday, and, if the honorable gentleman is victorious, he can in the meantime consider his measures, and will, I can assure him, have a most generous support from this side of the House in carrying them through. What we want to test is simply this: Whether the honorable gentlemen who occupy those benches are supported by a majority of the House or not. We say that they are not, and that by their action they know it quite well. I say again, let him take the division, and we can go on with the other business on the Paper and get it all over by half-past ten. Then, if he has the allegiance of a majority of this House, he will know it indisputably, and he will not only have to-morrow and Saturday to prepare his measures, but he will have the assistance of the Opposition in carrying them through. That I can guarantee him. (Laughter.) Honorable gentlemen may laugh, but they know perfectly well that if I give my word for a thing it will be carried out. If he does not believe me, and once asserts his position, he can at any rate defy me; but, until the other side have done that, they will not be permitted to proceed with any business whatever. If we have to sit here continuously for a week they shall not proceed with any business until that motion of mine is disposed of. I call upon him to settle this definitely at once. Let us see who has the majority, and let the majority rule. The majority will no longer submit to be governed by the minority. I challenge the honorable gentleman, if he is sincere, to come to a conclusion at once. Let us get through the business, and then everything he has told us to-night will come to pass.

Sir G. GREY.—I trust that the House will indulge me by allowing me to reply to the remarks of the honorable gentleman. Sir, there is such a thing as a majority in this House—a majority, it may be, of one or two, obtained we know not how; and there is such a thing as a majority of this country. That is the great court of appeal, and the honorable gentlemen dare not

face it. Let the House remember that two years ago the party that now sits on this side of the House consisted of only some fifteen members. Gradually it has grown in strength, gradually it has grown in power from year to year, and gradually it has won the affections of the country. We have gradually convinced the people of New Zealand that there are those who will free them from the enormous debts that have been entailed upon them; that there are those who feel that the crime which the honorable member for Egmont has been guilty of in spending, or helping to spend, some twenty-seven millions in five years, upon the small population of this country, is a thing that demands the indignation of the people: demands that other men should be put in power to see how such a vast expenditure has been brought about, to see why its results are so small, where it has gone, and upon whom this great debt is fairly ultimately to be placed. Why, the taxation is so unfair that the poor are made to contribute towards enhancing the value of the property of the rich, while their own interests are utterly disregarded, and they have been robbed of the privileges conferred upon them by the British Parliament. The venerable jester from Wanganui (Mr. Fox) got up a few nights ago and informed us that he and his party had given free institutions to every part of New Zealand; whilst he knows in his heart, and they know in their hearts, that they with care have taken every precaution that the inhabitants of the counties should be in part deprived of power altogether, and the rest of them put in such a position that the vast majority of them should have one vote, while to those who have acquired property, even unfairly, as many as forty-five votes should be given to one single individual. These are the free institutions those honorable gentlemen on the opposite side have established! These are the chains they have bound about the people of this country, from which the people cannot be freed for years to come! These are the means by which they are attempting to pay the enormous debts which have been incurred for the benefit of those who have not to pay them! They would pretend now to be ready to establish a fair system of taxation. Why have they not done it during the many years they have been in power? Why do they only say they will do it when they see great indignation, nay, hatred, in almost every face they meet as they walk about? Why have they, in attempting to establish local self-government, established an unfair system of voting? Why have they created rotten boroughs like those of Taranaki, with their three members, whilst the larger constituencies are deprived of anything like proper representation? Why have they dealt unfairly with the land? Why have they given great properties unjustly to their friends? Why has the land been kept from the people? The member for Wanganui to whom I have alluded told us that shoemakers, and carpenters, and blacksmiths, and others of that class did not desire land—that they did not care about getting land or having a liberal land law. I ask him, are there not very many of those persons who wish to see their child-

*Major Atkinson*

ren on farms? Do they not themselves desire to have farms on which to settle in their old age? Why should such trash be talked in this House? Then, the honorable member for Egmont challenges us—he is very fond of that word “challenge”—and says, “Let my motion of no confidence come on.” The honorable member for Wellington City (Mr. Travers), and one or two more of his friends, are at this moment in a certain frame of mind, and he says, “Come to a vote in half an hour, and we are safe.” Sir, I tell those honorable gentlemen that myself and those who are acting with me feel that a sacred trust has been confided to our hands. We know and feel that the people of this country believe now that hope is dawning for them; that they are prepared to return to this House a vast majority to carry out the views which I and my friends hold: and we say that by no *laches*, by no mistake on our part, will we be turned from the position which we now occupy. Every form that Parliamentary government affords us to defend our position, we will avail ourselves of. They may try to stop public business; they may try further to injure the people of this country than they have already done; they may try, having bribed in every direction in which they can—

Major ATKINSON.—I beg to call attention to the words the honorable member has used. I move that they be taken down: “bribed in every direction in which they can.” I shall call upon the honorable member to prove those words.

Sir G. GREY.—I presume that the sentence is to be completed.

Mr. REYNOLDS.—Rising to the point of order, I think the honorable member should be allowed to complete the sentence, so that the House may know in what sense it is made. I remember that on one occasion I said with regard to one section of the House—the rural party, as the honorable member for Wairarapa will remember—that it had been bought and sold, and was being bought again. But I merely meant that they had had promises made to them that their policy would be carried out, that those promises were broken, and that they were being made again. I daresay, when the honorable member finishes his sentence, it will be found that there is nothing objectionable in the words, although in the meantime, taken *per se*, I must say they are rather strong.

Sir G. GREY.—When I was interrupted, Sir, I was going on to say, “by promising subsidies to counties, to boroughs, and to Road Boards.”

Major ATKINSON.—I have no desire to proceed further with the motion for taking down the words. I am satisfied with the explanation of the honorable gentleman.

Mr. SPEAKER.—I think the House acts wisely in allowing the matter to drop.

Sir G. GREY.—I was addressing the House upon the subject of the proposition made by the honorable member for Egmont, and I was stating the reasons why I felt it my duty not to abandon, if possible, the position in which I have been placed. I had pointed out that, throughout the series of years during which the late Government held office, a Government to which the honorable

member for Egmont was attached for three years, their every step, in my belief, had tended to encumber the country with debt and wasteful expenditure; that no fair provision was made for dealing with the public lands; that an unfair system of taxation was upheld; that the people were being gradually deprived of the rights which free men ought to possess; and that they were led into the belief that a fair system of local self-government was being given to them, while, in reality, a system of an opposite character was being set up. I pointed out that this had been done by holding out bribes to local bodies in the form of subsidies, which I believe the Government in their own minds knew could only be continued for a very short time. I have said, and I hold the belief strongly, that, occupying the position I now occupy, I owe a solemn duty to this country. I believe that, with the aid of the able men who have given me most loyal and friendly assistance, great reforms can be brought about in New Zealand—that a total change in what I regard as the established system can be worked out. I feel confident in my own mind that, unless a speedy remedy in that direction is applied, chains will be bound round the people of this country from which they will hardly be able to free themselves—chains of debt, chains of subservience to the richer ranks: because, once men are deprived of that fair power of voting in the country by which alone they can make their wishes known; once they are robbed of those privileges by which alone they can make manifest the power they should wield in moulding the destinies of the country; once they are deprived of those advantages, it becomes a desperate struggle, a struggle which may extend over a long series of years, to regain them. Under these circumstances, I could not enter into such a compromise as that proposed by the honorable member for Egmont. I said, and I meant it, that we would use every legitimate and lawful means to maintain the position we now hold, until the people are appealed to—until they, the masters of the late Government as well as of the present Government, have resolved what shall be the future of this their adopted land. In part consideration of the question that has come before us to-night, there are one or two material points to which I wish to allude. The people of New Zealand little think of what they have been deprived. Hardly a member of this House has (certainly not half a dozen members have) ever considered the nature of the changes the Constitution of this country has undergone. Let us reflect for one moment what was the position of the people of New Zealand two years ago, or rather twelve months ago, for the act was only then accomplished. At that time, New Zealand was divided into several provinces which possessed almost sovereign powers. To men like yourself, Sir, who are acquainted with constitutional law, it will be known that, in regard to those provinces, Her Majesty had been pleased to renounce almost every right of sovereignty which could interfere with their liberties. They elected, in fact, their Governors, called Superintendents; they elected Legislatures, which had,

with a few exceptions, in each province the power of making all laws for the peace, order, and good government of the numerous inhabitants of those provinces. Some of those provinces exceed the majority of British colonies in wealth and population; and Her Majesty had renounced the power of assenting to or dissenting from the laws made by the Legislatures of those provinces. They might dispose of all fines, forfeitures, and penalties as they pleased under their own laws. They enjoyed perfect freedom, for Her Majesty had renounced all the powers I have referred to by the solemn Statute to which she gave her assent. When those provinces were done away with, there can be no doubt that those powers did not return to the Crown, and they can only be given to somebody else by law. Then we come to this General Assembly. Ample liberties were also given to it. All power of interference on the part of the Crown with the General Assembly was renounced, with the exception of the power of assenting to or dissenting from the laws in a few cases; and it was believed that, under these circumstances, no dispute would arise between the mother-country and this colony. But, Sir, all that has been broken through. I will now refer to the special subject which has been discussed to-night. The honorable member for Wellington City (Mr. Travers) applied language to me which I am sure he will regret. He accused my colleagues and myself of having laid a trap for the Governor, and he accused us also of other unworthy proceedings. I felt ashamed to be compelled to sit here and listen to such expressions being used. I will use no such expressions towards the honorable gentleman; but I will say that he had no just cause—he could not entertain even a suspicion which warranted his applying to us such language as he did. I wish to say—and it is known to my colleagues, some of whom are now sitting around me—that I did my very utmost to prevent any request being made to the Governor for the appointment of a gentleman to the Legislative Council. I opposed the taking of that step when I first went into office, and it was only at last that I yielded to repeated requests of my colleagues. I now come to the constitutional question, which I think has been altogether misunderstood; and I shall speak openly, because all the papers on the subject are before the House, and I shall be guilty of no breach of confidence. When I advised the Governor that a certain gentleman should be called to the Legislative Council, and when the Governor refused to accede to my request, on grounds which I believed to be unconstitutional, I gave way in the first moment to feelings which perhaps ought not to have come into my mind, and I wished to retire from office. It was only on the solicitations of my friends, and on being reminded of the field of usefulness which was open to me, that I determined to remain in the position I still hold. It may be said that, according to constitutional law, if I tendered advice to the Crown or the Crown's representative, and my advice was not taken, it was my duty to resign and hold my tongue. But I say that that depends altogether on the nature of the difference between myself

and the representative of the Crown. If I find that the Governor is embarking on a course which I think imperils the liberties of the people, and is contrary to constitutional law, it is not my duty simply to resign and hold my tongue, because in that case step after step might be taken, without the knowledge of the people, until it would be impossible for us to retrace our steps and go back to the position from which we had departed. I felt it my duty to take the action I did—namely, to contest calmly, mildly, and in a friendly spirit the propriety of the course which was being taken. I dismissed at once from my mind the idea that His Excellency the Governor desired, by a side-wind, to force me to resign the position I hold. I knew him to be incapable of so unworthy an act. I knew in my own mind that he believed he was pursuing a course which he was rightly entitled to pursue. Of course, he had the same right to hold his opinion that I had to hold mine. If, however, I thought he was acting wrongly, I had a right to ask that the question should be determined and set at rest for ever. That was the course I felt it my duty to pursue. I thought it my duty further to say this: that we, the Parliament of New Zealand, were capable of dealing with this question ourselves; and that, therefore, we would allow no external power to be brought in to settle it, unless with our own consent. I thought it was better for the country at large that these internal questions should be settled by ourselves, without the aid of any Secretary of State or other person being invoked. I thought it was better to do that, in order to show to those statesmen who followed us that we were men capable of dealing with matters of this kind ourselves, and that there was no necessity for our bowing down before any officials in London. I maintained, and I still maintain—and I ask this Assembly to bear me out in it—that it is our duty ourselves to settle the question which has arisen. If we go to work properly, there need be no quarrel between us and the Governor. It is only such language as was used to-night by the honorable member for Wellington City, who was encouraged by the cries of honorable gentlemen on his side of the House to proceed, that can lead to such a quarrel. The Governor himself cannot desire that a quarrel should take place. His Excellency has occupied a seat in the English Parliament, and I am sure he cannot desire anything but the settlement of this constitutional question in this colony. The question has been brought up quite accidentally. I am persuaded that nothing could be better for us, or for the Imperial country, than that the question should be settled here, where it arose. Why should it not be so? The Colonial Office need not know that any such dispute has ever arisen. If I had liked, there was nothing to prevent me from sending Home the correspondence to the Secretary of State; but I was desirous that we should keep the facts to ourselves, for it is our bounden duty to settle the question amongst ourselves. I shall only trouble the House with one remark further. It is this: I think I acted rightly in retaining the position I hold, notwith-

*Sir G. Grey*

standing the differences of opinion which arose between the Governor and myself and my colleagues. Statesmen may take different views on questions of this kind, and yet remain the fastest and firmest friends. There may be persons who would not deal in a manly spirit with His Excellency, and who would leave him to confirm an erroneous step he had taken. I feel certain that no men could advise him more faithfully, according to their knowledge and ability, than we desire to do; and, as far as we can, we will do our utmost to get this question settled in an amicable and proper spirit. By promoting a union of this kind with the representative of the Crown, we shall have a better chance of achieving that which will be beneficial for the Colony of New Zealand than we should have by pursuing any other course. I think that those gentlemen who say that we have laid a trap for the Governor, and that we have led him into difficulties, are endeavouring to create differences between the Governor and his Advisers; and that such persons are indeed enemies of their country. I trust that the adjournment proposed by my colleague the Minister of Justice will be agreed to by the House. We are entirely in the hands of the House, but I think the request is so reasonable that the House should at once accede to it.

Mr. REID.—I have listened with great interest to the speech of the honorable gentleman. He has approached the subject in a tone and manner properly befitting the question we have been discussing. The honorable member has expressed his opinion that we are quite capable of dealing with this matter, and that by so doing we shall show to coming statesmen that we are competent to carry on our own affairs without reference to the Home Government. With regard to the correspondence which has been read to-night I cannot conceive anything more feeble than the arguments contained in the memoranda written by the Government to the Governor; and if that is a specimen of the ability we are to display to future legislators in these matters—if that is the best we can leave them—it is a very poor one indeed, and a very weak example. But what I desire to refer to are the remarks made before the adjournment in reference to the late Government, and in reference to what this Government are to do for the people of New Zealand. The honorable gentleman spoke beyond and over this House, and as informing the people what was to be accomplished for them by the new Government. The honorable member said that the first action on the part of this Government will be to free the people from their debts. Sir, I ask what example, what proof, what indication have we that this Government are to do anything to free the people of New Zealand from their debt?

Hon. MEMBERS.—Wait.

Mr. REID.—I understood you, Sir, to rule against interruptions, and I must claim your protection from these interruptions of honorable members. It has become, I was going to say, a standing disgrace, but I will say it has become a regular habit on the part of honorable members, when a member on this side of the House rises to

speak, to make continual interruptions of a very unbecoming character. (No, no.) The honorable member for Dunedin is now giving an example of it, Sir.

Mr. STOUT.—I rise to a point of order. I apprehend you have already ruled, Sir.

Mr. REID.—I claim your protection, Sir. Am I out of order?

Mr. SPEAKER.—The honorable member has risen to a point of order. I do not know yet what that point is.

Mr. STOUT.—The point is this: Whether the honorable member has a right to characterize my saying "No" as an interruption.

Mr. SPEAKER.—Not to an expression of that sort, unless it is uttered in a jeering spirit, when I think it is very undesirable; but, otherwise, it is quite in order. At the same time, although I did not hear any remarks said aside when the honorable member for the Taieri objected to interruptions, if any such were made, and whenever they are made, I say emphatically that they are exceedingly wrong and unparliamentary, and I shall always, when called upon, from whatever side of the House they proceed, do my best to put a stop to them.

Mr. REID.—There is an order of this House that no member shall interrupt another during debate, and I say that these "No, noes" are interruptions during debate; and I say, further, that this constant practice of rising to order when there is no point of order is a great source of disorder in this House, and one which I hope will be discontinued. For myself, I do not offend in that direction, and I object to being interrupted in my remarks by members rising to order when there is no point of order. I was asking, in what respect have we any indication that there is to be a diminution of the burdens of the people of New Zealand brought about by the present Government? What is the first measure we have been informed they intend to introduce? Why, instead of a Loan Bill of two millions we are to have a Loan Bill of five millions introduced by the present Government. Is that an indication of a desire to relieve the people of New Zealand from the debts which are being heaped upon them? Then, Sir, with regard to works which have been carried out, has not the late Government been charged with not going far enough in the way of incurring expenditure; and have we not had an example during the last few days of the reckless way in which the present Government allow the revenues of the colony to be voted at the dictation of any private member who rises in his place here; and have they not agreed to burdens being placed on the revenues of the country, and risen in their places and given their assent and support to such burdens being imposed, at the same time admitting that they have not looked into the papers on which those claims for expenditure are based? We had an instance of that not later than yesterday. Yet in the face of that the Premier rises and tells us that previous burdens have been recklessly laid on the country, and that this Government will relieve the people from them. This is a very poor indication. It is, to my mind, a very serious prospect



as to future burdens if matters are to be carried on in the manner they have been since those gentlemen came on the Ministerial benches.

Sir G. GREY.—I might be allowed to rise to a personal explanation. There is no intention to ask for a loan of five millions. That sum is necessary to pay the debts of the country, but we do not propose to raise it if we can make other arrangements for a year.

Mr. REID.—I dispute the statement that that sum is necessary to pay the debts of the country; because I say that the statement of liabilities brought down by the Colonial Treasurer foretells the debts of the country, and is a statement that would cover the expenditure that has to be voted, and which sums, though not voted or expended, we are told comprised debts that were now due. But, if it requires five millions to pay the debts of the country, why does not the honorable gentleman bring down a Loan Bill for five millions for the purpose? Does he mean to say he is going to bring down a Loan Bill and at the same time to leave the existing debts unpaid? The honorable member is really very inconsistent when he promises to put the finances of the country in a satisfactory condition, and at the same time to carry out the enormous public works that the people have been led to believe, through the information conveyed by the telegraph wire to all parts of the country, the present Government is going to carry out. Sir, the policy which it talks of going to the country on is that of holding out delusive hopes to the people that public works will be carried out in a much more energetic and expeditious manner than they have been hitherto. What does that mean? It means an increased expenditure of public money, and not a relief of the debts of the people. The honorable member must think the people of this country are very blind and foolish if he supposes that they imagine that the mere fact of his presence there will carry out public works at a greater rate, and at the same time relieve the people from their burdens. If he thinks that the people are so misguided as that, he will find that he is mistaken, and that they are as intelligent as the great bulk of the members of this House, and as competent as the great majority of the members of this House have shown themselves to estimate the probability of this Government carrying out such a programme as they have indicated—namely, that of incurring a larger expenditure on public works, and at the same time relieving the people of their burdens. Then the honorable member complains that the revenues have been squandered—that there have been large loans. Sir, if the revenue has been spent, if twenty-four million or twenty-five million pounds have been squandered, has it been by the late Government? Has it been by the General Assembly of New Zealand? Does that sum not cover the whole of the expenditure that took place under the Provincial Governments? How much of that money was spent under the care of those institutions? I do not say that any of it has been squandered. I think it is quite possible that at the initiation of the Public Works scheme there was a reckless waste of the

*Mr. Reid*

public revenue; but to tell us that that is a thing which any particular Government to-day is responsible for, or that even the Government that immediately preceded us on those benches is responsible for it, is to attempt to lead the House on a false scent altogether. Even assuming any such fault did exist, this House condoned it. I have always thought a great blunder was committed when, at the first initiation of the Public Works scheme, the Messrs. Brogden got very large contracts without those contracts having been submitted to public competition; and that the country paid too highly for those works. This House, however, was a consenting party; these things were carried by resolutions in this House; and therefore it was not the action of the Government, but the action of the Assembly itself. Then we are told that the people have been robbed of their liberties by the late Government. The only illustration of that which has been given came from the honorable gentleman's disciple the honorable member for Rangitikei, and was to the effect that under the Counties Act forty-five votes may be exercised within a county by one man, assuming that the county is divided into nine ridings, and that the voter has the maximum of property in each riding, which does not always follow. The honorable member's objection is to the scale of voting: he offers no objection to any person holding property in each riding, no matter how small the value, having nine votes. Now, if the honorable member has such an objection to this system of plurality of votes, how does it happen that in the province over which he presided for some time under the Road Ordinance the same system existed to a greater extent than it does under the Counties Act, the maximum number of votes being six or seven? The honorable member presided over the Province of Auckland for two years, I think; and why did he not take steps to alter that system, if it is so vicious? Why is it that we have not heard of any steps being taken here to repeal that obnoxious law? And it must be borne in mind that in that province it would take at least three or four of the road districts to make an area sufficient to cover a riding of any of the counties; and therefore, following out the same system of voting there, I contend that within a riding under the Road Board system as there carried out one person might have not forty-five votes, but probably ninety votes. If that is the only instance that can be given to us of how the people have lost their liberties—and that Act was only passed last year—I think the people will survive it. I believe that if the honorable gentleman puts this question to the people of New Zealand he will find that they recognize the justice of allowing those who have to bear the greater burden of rates to have the greater voice in the election of the representatives at these County Councils. The least said about the loss of the people's liberties in this respect the better. Following out the theory of the honorable gentleman, this is what we should have: We should have those who do not pay the rates imposing burdens upon those who do, and deciding what works should be carried out

with the means they did not provide. That is a system which, I venture to think, will not commend itself to the good sense of the electorate of this colony nor to the members of this House. If the honorable gentleman believes that the people have lost their liberties in this respect, let him bring down a clause to amend the Counties Act in regard to the plurality of voting, and let him thus give proof of his desire to rescue the people and regain for them their liberties, and not stand up here and harangue in empty declamation about the liberties of the people, while he does not move his little finger on their behalf. The honorable member has told us that the taxation has not been taken off. What action is he taking now to take off taxation from the people of the colony? When sitting on these benches he said that he could retire into a back room and in one short half-hour bring forward a scheme whereby the taxation of the country would be altogether revised, its incidence altered, the working-men be relieved from oppression, every one treated fairly, and the rich men be taxed in proportion to their wealth, and in such a way as to break up the large estates. The honorable member wished to have a system of taxation that was to break up the large estates—that was to make each pay in proportion to his means, to pay progressively according to his estate. If that were so, and if the people of the colony were suffering as he told us, why has he not brought forward this proposal? He has now been nearly four weeks in office; and surely, if half an hour was enough for his predecessors to prepare a scheme to do justice, why does he not now bring in a measure to do justice?

Sir G. GREY. — If a dissolution is granted, and the people return members who will support it, I will bring down such a scheme at once.

Mr. REID. — The honorable gentleman required his predecessors to do it without a dissolution. The honorable member has not even sketched forth a scheme whereby it can be done. Before a dissolution he ought to show us how it can be done. He told us of great schemes in his mind. I have heard such schemes year after year, but I have looked for their realization in vain. I regard all this as barren talk, promising everything for everybody at the expense of nobody. The honorable gentleman says no fair provision has been made in past years for dealing with the public lands. What provision did he assist to make during last year when the question of dealing with the public lands was before us? Did he then assist to carry a measure dealing with the lands in a very liberal manner, or did he join a faction to prevent the Bill passing through? Did he not, instead of assisting to pass it, support a proposition that it should be read a second time that day six months? If he was so zealous in dealing with the public lands, why has he not, being in a position where he has the power to do so, pushed on the Bill now in our hands, which might be passed in twenty-four hours and sent to the Upper House, so that it might have a chance of becoming law during the present session? The reasons given for the postponement of that Bill were most lame and impotent, and

confirmed me in the belief that honorable members were not so anxious as regards making a liberal provision for dealing with the lands as for the retention of their seats. The reason given by the Minister of Justice for not proceeding with the Land Bill was that certain of the Waste Lands Boards had sent in suggestions, which he had not had time to consider. Those suggestions were in the office before I left office, and were considered by myself, and some of them adopted by the Waste Lands Committee. Most of them had been introduced into the Bill. It certainly would not take the Native Minister more than an hour or two to go through the whole of those suggestions and make whatever alterations were required. It was simply a pretext for putting back the Bill and keeping it hung up in order to carry out the indication given by the honorable gentleman of a threat against the Canterbury members. He said he would consider their case in a fair spirit—that he could not say what would be done, but that he would do what was right to the country and fair to the people of Canterbury. I might contrast the action taken by the honorable member—if he is so sincere in the matter—with the action taken in 1872. In 1872 I had the fortune or misfortune to be in office for about the same period of time as the honorable gentleman has been. Did I drop the Land Bill under my charge? I took advantage of being in the Government in order to press it forward and pass it through; and if the honorable member were as sincere as I was he would take that course in regard to this Bill. I must say it is the greatest source of regret to me that the late Government did not remain in office one or two days longer, in order that I might have passed the Land Bill through the House, so that it could have been sent forward to the other Chamber. The Native Minister assured us that all the Bills would be carried through next week. I fear there is very little prospect of the Land Bill being carried through this session. We cannot expect that Bill, which has been before us for three months, to pass through the other branch of the Legislature in a few days. When the honorable gentleman told us that Parliament might be prorogued at the end of next week, he either did not think seriously of what he was saying or he himself had no belief in the statement which he was making. The honorable gentleman talked about the people being bound in chains. There is no freer people under the sun than the people of New Zealand; and long be it so. Any action I can ever take in this and any party I act with will never be in the direction of rivetting chains on the people. If they were bound with chains or fetters I should be the first to strike them off. To say that, because you give plurality of votes according to the rates a person pays,—which may fall on one man to-day and on another, the poorest in the country, the next day,—to say that by so doing you are binding chains on the people is a very great stretch of language, and is using the words in a sense that cannot be at all defended. The honorable gentleman has said that there are very few members in this House who have considered the changes which the

country has undergone. I scarcely think that that is so. I think that most members of the House have considered the changes which the Constitution has undergone; but there is very little use indeed in harking back to the changes which the country has undergone. When the honorable gentleman was on the other side of the House he always kept telling us of those changes and condemning them, and all sorts of reproaches were hurled against myself because I could not see the propriety of harping upon an old theme long since past and gone. I recognized that the time had come when it behoved the public men of this country to do all they could in shaping the institutions that were to follow those that were gone. I had expected, when the honorable gentleman came to sit on the Government benches, that his first act would be to reinstate the old system, but what was my surprise when I found that, in the first statement the honorable gentleman made, he out-Heroded Herod in centralization! He told us that, by grasping still further in the hands of a strong central Government the various institutions that had been left in existence, the departments that had been left in the provinces by the late Government for the convenience of the people, still further reduction might be made in the public expenditure. I think that it would be more creditable to the honorable member if his language occasionally were less ambiguous. Whether that sentence was carefully planned or not, it is one which the honorable member or any one else might interpret in two ways. It either means that the honorable member believes in one strong central Government, and thus in a reduction of expenditure, or that he would rather have more Governments than one; but, if that is so, he cannot reduce the expenditure. If he means it in the latter light, then I say he has wrongly led the people of the country and the House to believe that there is to be a reduction in the expenditure. But the whole point dwelt upon in the speech of the honorable member was that there was to be a reduction in the expenditure, and therefore he necessarily implied that there was to be only one central Government, and that he had thrown aside all his provincial ideas; and when he is on those benches we find that all those ideas he had fought for so long are thrown behind him, and he out-Herods Herod in his centralization. Then, what is the use of telling us now that the provinces elected their Governors and had the power of making their own laws? It is very little use indeed to tell us what the provinces had the power of doing. He does not ask us to reinstate those institutions, and therefore it is no use to tell us what the provinces had the power of doing. The provinces lost those powers by a clear majority of the House, after an appeal to the people of the colony; and, if the honorable gentleman adheres still to the views he then held, why does he hark back in this way, after telling us a few days ago that centralization had not been carried as far as it ought to be in order to secure economy in administration? I do not think it necessary to follow up this subject further at present, although I could not help pointing out some of

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the inconsistencies in his remarks. The honorable member told us a few days ago that his was not an enviable position, and in that I quite agree with him. I say that a position acquired, as his has been, by delusive promises held out to honorable members, misleading promises to honorable gentlemen who openly protested, although now his supporters, that they would have nothing to do with any Government of which he was a member, is not an enviable one. Those honorable gentlemen declared that they would take no part in any no-confidence motion if the present Premier had a share in it. A position acquired in that way, and maintained in the way it is now maintained, is one which is not enviable, but utterly pitiable. Was it not paraded throughout the colony, immediately after the division, that, owing to the clever manipulation of the whips, the division had been taken at the right time?

Sir G. GREY.—May I be allowed to make a personal explanation? I did not make promises to any honorable member, and was not a party to any delusive promises.

Mr. REID.—I am quite sure of that. I did not charge the honorable member with doing so; but his position was secured owing to those promises having been made. He is too wise to do such a thing himself, and I am very glad to be able to say that I believe he is above it. But, as these promises were made on his behalf, he ought to have been aware of the fact, and ought to have had sufficient influence to put a stop to them. The honorable member for Wellington City (Mr. Travers) himself told us that, only forty-eight hours before the honorable gentleman was made Premier, an assurance was given that the present Premier was not to be in the Government at all. The honorable gentleman must see that if he does not himself give these assurances they are given by others. I quite agree that the honorable gentleman's position cannot be an enviable one. The honorable gentleman, up to the last day of leaving the Opposition benches, declaimed against the Government for centralization; and the first time he took his place on the Treasury benches he told us he intended to still further centralize. It is not creditable to an honorable gentleman who is in a minority in this House to say he will stand up for the rights of the people and the rights of the Constitution, while he sets at defiance all constitutional law and all constitutional precedents by retaining the reins of government in defiance of the representatives of the people, and saying he will not allow the question to be decided as to whether he is there as a constitutional representative or not. Sir, I say that that is a position which does not well become the honorable member. That is not an enviable position for him to occupy, and I am sure that I do not envy him his position in the slightest degree. Rather than submit to be in such a position I would not only retire from this House, but I would retire into the utmost obscurity. I should be content to spend the whole of my life in the utmost obscurity rather than submit to be in the humiliating position in which he is placed. That is not carrying out the will or

desire of the people of this country. This House is the representative of the whole people of this country, and it is useless to say that we are not the representatives of the people here. The position he has taken up is one not in accordance with the dignity of this Parliament, and it is not creditable to any honorable member, especially to honorable members occupying the Government benches. I will not say more on this subject than this: The position of the honorable member is one that is truly unenviable. I should like to see him take up a position which would be more creditable to himself and more dignified towards this House. He should not countenance any further waste of the public time, any speaking against time, as has been pursued by honorable members on the Government side of the House the whole of this afternoon. It was patent to me that the discussions which took place this afternoon have been avowedly with the view of staving off a motion which is now upon the Order Paper. The discussions which took place two weeks ago were pursued by honorable members on that side of the House, not with the view of meeting any arguments adduced, but simply for the purpose of protracting the proceedings; and the question now before the House was brought up by honorable members with the view of still further protracting the proceedings. The last time this matter came before us it was adjourned for the purpose of enabling the House to consider the great constitutional question; but the next day that constitutional question was shelved, in order that a snatch vote might be taken on a division, because they had all their forces then at their command and were ready to snatch a vote. That is the way in which the proceedings have been carried on. It has simply been a waste of time. The Government can think of trying to carry on the business of the country knowing that they are in a minority. That must of necessity lead to a waste of time. The government is not carried on by fair Parliamentary means, but by tactics that would be disgraceful to the meanest Road Board in the country—tactics which no member of any Road Board would pursue. This is not a Parliamentary system that is being pursued; it is a system of speaking against time and of taking an opportunity of getting a division when the opportunity offers. Honorable members do not deny it. They tell us that they will not allow the business to go forward—that they will weary out members of this House, and by that means secure the Government in tiding over the session, to get members to go about their business, and have the recess to do as they like. When honorable members on this side were in office all their actions were done from discreditable motives. When those honorable members themselves get into office their action is the purest patriotism on their part. They do nothing from any sordid motives; but their opponents are the most sordid men on earth. Their opponents do everything that is bad. Those honorable gentlemen conduct the proceedings in a proper Parliamentary manner, although determined to cling to

office when in a minority; but their opponents are not guided by any good motives whatever—their only object was to stick to those benches regardless of the public weal. The honorable member throws a halo of virtue around his colleagues; he has taken that position solely from a sense of public duty regardless of his own ease. "Does any one think that I came here of my own desire—that it is not in a true public spirit and for the interest of the public that I am here? Perish the thought. That is not the reason I am here; my reason for being here is that I may do good to the country." Everything that is patriotic, pure, and noble, everything that is high and exalted, is attributed to him and his colleagues; but the motives of every one who happens to differ from him are of the most ignoble and impure character. If the honorable member's motives are so pure, if he desires to uphold true constitutional and Parliamentary principles, let him discontinue conduct that will do more to destroy the Parliament of New Zealand, and to lower it in the estimation of ourselves and those who may come after us, than thousands of these memoranda that have passed between His Excellency the Governor and his Responsible Advisers. These things are as dust in the balance as compared with the honor and the dignity of our own proceedings here. It becomes the honorable member to set us a good example in that respect. If he is imbued with such high and exalted motives, let him set an example that will have a good effect upon ourselves and those who follow after us, and not adopt a course that will tend to undermine and destroy our constitutional system. I will not follow the matter any further. I hope that we shall come to a decision on this matter soon—that the honorable member will not persist in following a course that cannot redound to his own credit, and which I am sure will have a more serious effect on the future Parliamentary action of this Assembly than these trifling points of order and points of privilege which have been so often raised during the present session.

Mr. DE LAUTOUR.—We have heard the honorable member for the Taieri at his best. I think both sides of the House have enjoyed the vigorous and racy language in which he has expressed his long-pent-up feelings and unburdened his bosom to the House. He has been told to keep quiet lately, and it has gone very hard with him. At last he has been brought to the birth, and he is safely delivered. The honorable member has ventured to say that the Hon. the Premier should retire to that obscurity which is so congenial to him—

Mr. REID.—No, pardon me; I did not say that the Premier should retire to the obscurity which is so congenial to him.

Mr. DE LAUTOUR.—I was coming to that in another way. I can assure the honorable member for the Taieri that he has an excellent chance of being enabled very shortly to retire to the obscurity which he so longs for. Every one of us who have watched the history of the colony is aware of the great duties which the honorable gentleman has performed to this

country—of those heroic works of colonization which he has performed—of the giant squattism which he has demolished—and we know that all these things would not have been done had he not been dragged with reluctance from the plough. It was well for the colony that he was impelled to do so, otherwise his ambition would never have led him to soar so high. It was utterly false, as we all know, that the honorable member was, six or nine months ago, kept in expectation. The Commissioner of Crown Lands; the Minister for Lands—which was it to be? He became Minister for Lands, and damaged his political reputation and deserted his party. The honorable member has no ambition, and happy will it be for him, and happy will it be for those who disbelieve in him, when he returns to the obscurity he desires. We have heard again to-night more of those verbal criticisms of the Hon. the Premier's speeches in this House since he has occupied that position. Member after member who attacked him with any force at all has been entirely open to this verbal criticism. We have had these criticisms from the honorable member for Totara, the honorable member for Wellington City, and the honorable member for the Taieri, all able and accomplished speakers in this House; and the whole burden of their song has been these verbal criticisms; and yet, supposing they were true, what did it all amount to? That when the honorable member, whom we, at any rate, on this side of the House, are not ashamed to call a statesman, gets up in this House and does not read printed documents to it, but speaks his sentiments and opinions in speeches of eloquence that cannot be surpassed, and when those speeches have been reported and printed they may possibly show a loophole for verbal criticism. But what have been the wretched specimens of speeches we have heard since I have had the honor of being a member of this House! A member of the Government gets up and reads a speech or a document that has been prepared perhaps by auditors, or by some of the clerks for aught I know, and it would be no wonder if verbal criticism recoiled against such printed statements. But the free speech made on the floor of the House; the free speech, eloquent with burning tongue, speeches to the country without the aid of printers' ink—if verbal criticisms are attempted in reference to such speeches, and with success only in one case where there undoubtedly is a double meaning, such speeches redound to the credit of the orator who delivers them. The honorable member has been taunted again to-night. The same charges have been made, but the honorable member for the Taieri gives them more point and force; yet it is the same thing over and over again. The honorable member has been taunted, and asked why did he not, immediately he reached those benches, reinstate the provinces? I think the honorable members who make that taunt fail to apprehend the subtle difference which was exhibited in the speech of the Premier—the difference between a statesman and a State quack. Sir, the quack would only exalt himself. His action would be: I have said this, I have always done this, and now I am in power I will force my

views on the country, willing or unwilling. But the statesman, whilst he does not disguise his views, waits and takes his cue from the political instincts of the people, and in deference to them carries out their will; the quack, on the other hand, carries out his own views. If there is a difference between gentlemen and gentlemen, there is also a difference between statesmen and statesmen, and, until that lesson is learnt, even those honorable members sitting on that side of the House, who from their age and position ought to be respected by all young men in this House—until they recognize that difference they cannot claim from us that respect which, perhaps, their position ought to insure for them. The honorable member taunts the honorable gentleman at the head of the Government for using the word "chains," knowing that the expression was but figurative. But let me tell the honorable gentleman that he will very soon learn that the people will not trust themselves to those who are overburdened with anxiety to get over-wealthy quickly, and that they will free themselves from such chains. The people of New Zealand will very soon find that the process has begun of a liberality to which the word "chains" cannot be applied. I cannot comprehend what chain that was ever forged would hold that honorable gentleman if his instincts led him to go one way and his duty to his country led him to go another. We have had this wretched cant about this Land Bill. Is the honorable member not ashamed to force himself and his Land Bill on the House—that consolidating measure which everybody has decided was absolutely necessary long ago? If this House had the experience of the land administration of the honorable member that I have had, I think he would vaunt himself and his precious Land Bill a little less often in this House. The land demagogue of Otago! There are others who are equally favourable to a popular land law with the honorable member for the Taieri. If there is one honorable member of this House who, more than another, has sold the people with respect to the land, and played the game of the squatters, it is the honorable member for the Taieri. Time after time has he played their game; and whenever they wanted to make use of him they put him into power, knowing that through his weakness, his ambition, and that stroking down the back to which he is so amenable, they could get all they wanted. Talk about Sir Julius Vogel playing into the hands of the runholders, why it was nothing to that of his former bitter political opponent and now *quasi* master, the honorable member for the Taieri. He could not even spare us to-night that little allusion to another piece of his legislation—the Settlements Works Advances Bill. I believe it was my vote that saved his Bill; and yet he taunted the Premier and his party with having thrown it out by voting that it should be read a second time at six months' interval, and thereby deprived the colony of a measure which was in the direction of settling the land. "The honorable member at the head of the Government should have at once sketched out a scheme by which all those liberal measures which he has

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painted to the House at different times should be given effect to." That is the cry. Some honorable members in this House cannot even devise, much less execute; yet an honorable gentleman who can devise, and who, if he has time, can execute, as he has executed before, is told that it is a crime in him not to have executed in a moment that which they have not been able to devise during many years' trial. Then there is that other little bit of clap-trap about retiring for ten minutes and returning with a new scheme of taxation, and of bursting up the large landed estates. Every honorable member must be as well aware as I am that it was the late occupants of the Treasury benches who suddenly became converted to the necessity for a new system of taxation, suddenly impressed with the uttermost willingness to impose burdens in an equitable way upon the people. It was they, with the full power of their offices, with their officers under their control, and every paper easy of access to them, who, when they made those promises of what they would do, might at least have had a Bill dealing with a property and income tax drafted and brought down in a very short time. It is a very different thing drafting a Bill to deal with a property and income tax, and bringing it down, from treating it in detail and seeing that every point fits. There is nothing in that taunt. Then we are told that the honorable gentlemen on those benches have committed a great crime because, having been four weeks in office, and having during the greater part of that time been obliged to face a virulent Opposition, they have not been able to devise a policy. I and my friends thought when we were in opposition that we did know something; but we must give the palm to those honorable gentlemen. And yet the Government are accused of a great crime because they have not brought down their policy, although during three weeks out of the four that they have been in office they have had to fight at the point of the bayonet, as it were, with those who are now in opposition, and although, as I am informed, every obstacle has been thrown in their way by a few of their officers, and not the slightest assistance given to them by those whom they succeeded. We have heard in other countries of the outgoing Ministers being amenable to the ordinary rules of courtesy. We have heard of their saying to those who succeeded them, "You will find many and many a difficult thing we have been trying to unravel—many a scheme for the good of the people the threads of which must be in our minds. We proffer you every advice and assistance we can, and you shall have that loyally until you see whether you can do better than we have been able to do." We have heard of such things: indeed, some of us have dreamed that they are the rule. But what do we find now? A "kettledrum" held in the Government offices, and every paper burnt not absolutely a record that could be of any use; while there was a tacit refusal to render any possible assistance.

Mr. MCLEAN.—No.

Mr. DE LAUTOUR.—The late Commissioner of Customs says it is not correct. I did not accuse him of having any information to give.

No one can accuse him of that. Then we had another statement from the honorable member for the Taieri, that, forsooth, the offence of his immediate predecessors was a very great squandering of money, besides their position with regard to the letting of railway contracts; but all that was condoned. I suppose it was condoned on his accession to office. I think, however, that a greater accession than his failed to condone it. Even that little waiver of political precedence last year failed; and it is not condoned to this day. We are told that the Assembly condoned it; but I say the Assembly is the servant of the people. It received a trust, and has not given an account of it; but it will very shortly have to do so, and then honorable members will have to account on the hustings for their action. It will then be seen whether past offences have been condoned because, owing to fortuitous circumstances, a majority of the House craves after that which destroys the real life of Parliament—a continual coalition of parties in office. The honorable member at the head of the Government was further accused of speaking over this House to the people. I can understand the honorable member for the Taieri, who would create a fifth of a man or a tenth of a man, if he had his way, so long as property, which is all in all to him, is safe, dreading that any voice in this House should reach the people of the country. I have always maintained that the honorable member for the Taieri is in his proper place on that side of the House. There is no honorable member here whose instincts are so conservative as those of the honorable member for the Taieri. Like all self-made men, he is proud of being so, and despises those with whom he was once on a level. It is the curse of advancement that those who advance by their own exertions despise those from whom they have advanced. The late Lord Derby was considered to be a most conservative man, but he never came near the honorable member for the Taieri as to what should be the rule in this colony. Lord Derby looked forward to a time when the colonies should rise in friendly rivalry with the United States; when, freed from the fetters which bound them in the old country, freed from the vested rights which hampered them on all sides and made them less important than they should have been, these young colonies might begin *de novo*, as he called it, and strike out a fresh path, unfettered by old prejudices, in friendly rivalry with the United States. That sounds well, but it would not at all suit the honorable member for the Taieri. I am glad to see him on that side of the House. We are gradually getting the House divided, and in a short time there will be no question as to what is a party and what is the line to be drawn to distinguish parties. There will be so marked a division that he who oversteps the line, who votes in one way one day and the next day in another, will never, after his first appeal to the tribunal which placed him here, have an opportunity of again abusing his trust. The question before the House, which I confess I have strayed very far from in following the honorable gentleman, deserves a little more comment than it has yet

received, and, weary as the House is, I cannot feel that I should be justified in not laying before honorable members, feebly as I am able to do so, my view of the subject. Sir, the taunt which we find in the papers that were read to us to-day, the taunt that has come up from the other side of the House at every turn, and the key-note of which, even before these papers were produced, was rung by the honorable member for Avon, has been, "Why did not Ministers resign?" Now, Sir, there is one reason, absolute and above all, why I think Ministers in such a position should not have resigned, and that is that they are bound to remain there to maintain the freedom of any minority that may become a majority in the House. It is impossible for any Government to hold office for a term of years—six, seven, or eight years—from the first time of a Governor's arrival in the colony, without the chains, which are chains indeed, invisible if you like, but nevertheless chains and bonds of sympathy which exist between man and man, whether Governor or commoner, being created and growing stronger and stronger, so as to make it very difficult to snap them in twain. There must be a feeling, a desire, on the part of those who are suddenly brought into association with each other, to advise and to be advised, for I altogether repudiate the doctrine that has been preached to-night that it is the duty only of Ministers to give advice, and that the Governor should not give advice. It is impossible, if such notions be created, with his old favourites hanging about his doors, and being met, not only by the one hundred and one hangers-on at Government House, but by the society of the small town in which Government House happens to be situated—I say it is impossible that such an occasion as this can arise without there being an embarrassment, to say the least of it, for a short time. I do not care who the Governor may be, he cannot avoid the desire that his new Advisers should resign in order that his old friends may return to office. If we are to admit the position that the minority, upon the first snub, are to resign their legitimate rights, I say that all freedom in this House is gone. But there is another light in which to put that matter, and it is this: that, if parties in this House were to treat each other fairly—if the party on the opposite side of the House were to resent any unfair treatment by the Governor of the party in power—we should arrive at a more healthy condition of political life, and practically we should be independent, which we have never yet pretended to be. In an able paper published in New South Wales this point is brought out concisely and well. The *Sydney Mail*, in dealing with the subject recently, said,—

"No Colonial Ministry has a right to dictate to the Governor as to the interpretation he shall put upon the instructions by which he is bound. That is the function of his superior officers. But any attempt made in a colony to rectify differences of opinion upon that point by the resignation of Ministers is an attempt to dictate."

Now, Sir, I will give a concrete example of what I mean. In Canada, Lord Metcalfe, the

*Mr. De LaTour*

Governor, quarrelled with his Executive, or his Executive quarrelled with him—it is immaterial which—about this very exercise of patronage which is now in dispute. The Governor claimed very large prerogative rights, holding, as he alleged, the same position in the colony in relation to the Assembly which the Queen did to the House of Commons. The Executive of the day followed the course which has been followed by the present Ministry. They remonstrated with His Excellency. They advised him in a contrary direction, and, the House being trustworthy, they resigned. So far as the resignation went they established the precedent which is preached on the other side of the House. But what followed? The House was true to its rights and privileges, and for ten months Lord Metcalfe was without a Ministry. At the end of the ten months he got a scratch Cabinet together, but before the end of their first month Parliament was dissolved. The Governor's influence permeated throughout the country, for he was very popular and much liked; and, as Earl Grey and another eminent authority state, through the personal popularity of the Governor, the electors were favourable to him. A small Conservative majority was returned to support his Ministry; but what was the result of that? Let us again look at what Earl Grey says; and he is an authority on constitutional law. He says,—

"Though the difficulty of carrying on the government was thus obviated for the moment, as the party into whose hands he [Lord Metcalfe] had thrown himself possessed a small majority in the Assembly, this advantage was dearly purchased by the circumstance that the Parliamentary Opposition was no longer directed merely against the Advisers of the Governor, but against the Governor himself, and the British Government, of which he was the organ."

That is the necessary outcome of any such action as is now about to be discussed in this House. The Governor will absolutely screen his Advisers, whether he likes it or not, from the blame that might legitimately be attached to them. He himself becomes the object of dislike to a great party in this country, and the British Parliament will be regarded with feelings which we should reprobate. That statement is confirmed by an extract which I have before me from the "Memorials, Letters, and Speeches" of Lord Elgin, who succeeded Lord Metcalfe. I will not weary the House by reading it, but I may be allowed to add a word or two from the instructions that were given to Lord Elgin in view of the difficulties which had arisen out of the action of Lord Metcalfe, and which were intended purposely to allay the violent discord that had been created in Canada by his ill-advised action. Lord Elgin's instructions were to this effect:—

"Clearly understanding, therefore, that refusing to accede to the advice of your Council for the time being upon a point on which they consider it their duty to insist must lead to the question at issue being brought ultimately under the decision of public opinion, you will carefully avoid allowing any matter not of very grave concern, or upon which you cannot reasonably

calculate upon being in the end supported by that opinion, to be made the subject of such a difference."

Those are the views of a statesman; but, Sir, it is clear from the papers laid on the table to-day that we have overruling us a power which is admirably caricatured in the frontispiece of a recent number of the *Scientific American*, where are to be seen two speakers at a distance speaking to each other from opposite ends of a telephone. The new form of government which is to override our Constitution is very well caricatured in that picture; and, if we are to have a Governor sitting at Wellington communicating with his *conféres* across the water, and concerting a general plan of action for the control of free peoples, I say that we shall have something that is repugnant to the action of statesmen who have made a name for themselves, and have not been compelled to go out into the world to seek rewards which could not be given to them at Home. The question has also been raised to-night about the Governor possessing the power of the King. What does Sir James Mackintosh say about that? Speaking in the House of Commons in a debate as to the powers of kingship claimed by Governors of colonies, and referring to the disputes in Canada, he said,—

"One dispute arises from the Governor claiming, in imitation of the power possessed by the King to confirm the Speaker of the House of Commons, a right to confirm the Speaker of the House of Assembly. This is a very ancient right, and venerable from its antiquity, and from being an established part of an excellent Constitution; but it is most absurd in a Governor of a colony, and it is a sufficient charge against him that on such a claim he is engaged in a battle with the representatives of the people; and it is most unfortunate for the Governor that the only time when this right was brought into question in England was one of the worst periods and under one of the worst Kings."

I have quoted these precedents in advance of the debate which is to take place, as they may lead others of experience on constitutional history to refer to the cases to which I have alluded, in order that they may see the maxims and precedents that have been laid down, and which certainly should weigh in our time. There is one other remark I wish to make, and it is this: we find here a chain of facts which make those who, like myself, are anxious to respect the position in which we find ourselves, with one people, one colony, and one centre—I say it makes us dread the position in which we now are, and which we are afraid to accept if we could. Sir, if the Government of the day is to be at the mercy of unofficial persons in the central town of the colony; if we find a large section of the House arrayed against the Government we have been loyally supporting, simply because its members do not happen to be mixed up in certain circles in Wellington; if every man is to be influenced against them by that subtle and spurious aristocracy which must be the outgrowth of residence in all central towns for many years to come; if there is to be no fair-play, no honesty, no loyal

service to the Government of the day by those under them on account of those influences; if Government House itself, as containing the representative of Royalty, is not to be sacred against those hateful back-stair influences which lead to the disclosure of that which should be known only to the Government of the day—I say, if that is to be the case, and I give this as a warning, the time is not far distant when the people resident at the two ends of the colony will realize their proper position, and in all loyalty say, "We will none of it. We will respect ourselves, our insular position, and our representatives as they ought to be respected."

Mr. REID.—There was one remark made by the honorable member who has just sat down to which I would ask the permission of the House to refer. The honorable gentleman said that before we went out of office we destroyed every scrap of paper which could be of use to the new Government. That is not true. When I see such a statement made in a newspaper I do not trouble myself about it, but when it is made by a member of the House it is important that some explanation should take place. I will say now that every scrap of paper which could be useful to those gentlemen was left in the hands of the Under Secretaries for them, and it would have been a disgrace to us if it had been otherwise. For my own part, I was particularly careful that everything relating to the department should be put in such a way that it would be accessible to my successor; and I should be most happy at any time to render him any assistance I could. In fact, the Native Minister once asked me to give him some assistance in connection with the Land Bill, and I told him I should be most happy to do so, and to do the same thing in regard to other Bills. I shall always be happy to render him any assistance I can, and I take this opportunity of publicly denying that the late Government endeavoured to prevent their successors from obtaining information.

Mr. DE LAUTOUR.—I hope the honorable gentleman will consider that anything I have said which can be construed into a charge against the honorable gentleman is withdrawn. I certainly had no direct authority for the statement I made.

Mr. HODGKINSON.—I move the adjournment of the debate.

Major ATKINSON.—May I ask, Sir, what the effect of adjourning this debate will be? Will my motion of no confidence then be called on?

Mr. SPEAKER.—No. I will state that this debate has arisen in a rather unusual way. If it is the desire of the House that the debate should be adjourned, I will, after it has been so adjourned, state to the House my opinion regarding the question which the honorable member for Egmont raised before this debate began.

Debate adjourned.

Mr. SPEAKER.—When does the honorable gentleman wish the debate to be resumed?

Mr. HODGKINSON.—I move, That it be adjourned until half-past seven o'clock to-morrow.

Mr. REID.—I move, as an amendment, That



the word "Monday" be substituted for the word "to-morrow."

Mr. STOUT.—I think that that will be very inconvenient, Sir. If the papers are printed by to-morrow it would be far better to go on with the debate without further delay. It seems to me that the privileges of the House are of less moment to the honorable gentleman than the desire to get on the Treasury benches. I regret that the papers have not been printed, but, if they are ready to-morrow, I do not see why we should not go on with the debate. I think that the best test the honorable gentlemen can give of their good feeling towards the country is to allow this matter to be disposed of as soon as possible.

Mr. WAKEFIELD.—I do not understand the course proposed to be adopted by the honorable member for the Taieri, and I think it probable the House has forgotten what the actual question is. The real question now is, that the matter be taken into consideration at a certain time. If we were actually discussing the correspondence itself there might be some reason for the motion of the honorable member for the Taieri. I think honorable gentlemen on all sides of the House will agree that it would be better to resume the debate at the earliest possible moment. As you have said, Sir, the debate arose in an unprecedented way. We have not been told why the papers have not been printed, but no doubt they will be ready to-morrow, and we can then go on with the debate. I am averse to sitting at all to-morrow, as it is a public holiday; but, if we are to sit, I should be pleased if we could resume the discussion at half-past two o'clock, instead of in the evening. The sooner the thing is over the better. I must express my surprise at the delay which has occurred in regard to the printing of the papers.

Mr. REYNOLDS.—I believe, Sir, that the papers are already in the hands of the Printer, and in all probability they will be in the hands of honorable gentlemen between two and three o'clock to-morrow afternoon. Such being the case, honorable gentlemen will have an opportunity of reading up the subject, and they will be in a position to deal with the matter when the House meets in the evening. I do not see that anything would be gained by postponing the question till Monday, unless the object be to hinder its being dealt with until after the English mail has left. I cannot understand the request for delay, unless that is the object. I hope we shall decide to go on with the discussion to-morrow.

Question put, "That the word 'to-morrow' stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	32
Noes	...	...	...	...	34
Majority against	...	...	...	...	2

#### AYES.

Mr. Ballance,	Mr. Nahe,
Mr. Barff,	Mr. O'Rorke,
Mr. J. C. Brown,	Mr. Rees,
Mr. Reid	

Mr. J. E. Brown,  
Mr. Bryce,  
Mr. De Lantour,  
Mr. Dignan,  
Mr. Fisher,  
Mr. Gisborne,  
Sir G. Grey,  
Mr. Hamlin,  
Mr. Hislop,  
Mr. Joyce,  
Mr. Kelly,  
Mr. Larnach,  
Mr. Lusk,  
Mr. Montgomery,

Mr. Reynolds,  
Mr. Seaton,  
Mr. Sheehan,  
Mr. Shrimski,  
Mr. Swanson,  
Mr. Taiaroa,  
Mr. Thomson,  
Mr. Tole,  
Mr. Wakefield,  
Mr. W. Wood.

#### Tellers.

Mr. Hodgkinson,  
Mr. Stout.

#### NOES.

Major Atkinson,  
Mr. Bowen,  
Mr. Curtis,  
Mr. Fitzroy,  
Mr. Gibbs,  
Mr. Harper,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Johnston,  
Mr. Kennedy,  
Mr. Lumsden,  
Mr. McLean,  
Mr. Moorhouse,  
Captain Morris,  
Mr. Murray-Aynaley,  
Mr. Ormond,  
Mr. Reid,  
Mr. Richardson,

Mr. Richmond,  
Mr. Rolleston,  
Mr. Rowe,  
Captain Russell,  
Mr. Seymour,  
Mr. Stafford,  
Mr. Stevens,  
Mr. Sutton,  
Mr. Tawiti,  
Mr. Teschemaker,  
Mr. Travers,  
Mr. Whitaker,  
Mr. Williams,  
Mr. Woolcock.

#### Tellers.

Sir R. Douglas,  
Dr. Henry.

The word "to-morrow" was consequently struck out.

Question put, "That the word 'Monday,' proposed to be inserted, be so inserted."

Mr. REES.—The honorable member for Egmont has announced the determination of the Opposition to stop everything. I think I may safely say that we will manage to last out the honorable gentlemen on the other side. The honorable member the ex-Premier having stated to-night publicly to this House and to the country that he will stop all public business until his great resolution No. 3 is disposed of—

Mr. SPEAKER.—I think it very undesirable to now open up large subjects, and stray from the immediate question, That the word proposed to be inserted be so inserted.

Mr. REYNOLDS.—I intend to enter my protest against this waste of time on the part of the Opposition. I say that the honorable member for Egmont has wasted the time of the country. First of all the honorable member tabled a vote of want of confidence before the members of the Government had the least opportunity to lay their policy before the country; then just as the Government were going to put forth their policy; again, after that vote was disposed of, another motion is tabled; and now to-night, when a question of privilege comes up, the honorable member for Egmont, refuses to allow that question to be taken to-morrow, and seeks to delay it until Monday, and thus to prevent the Government from bringing forward their policy and laying it before the country. I trust that the people of

the colony, when we go to the country, will mark their disapproval of the conduct of those honorable gentlemen.

Mr. SUTTON.—Those honorable gentlemen who charge the Opposition with wasting the time of the country surely forget that this afternoon they carried on a division the adjournment of the House until to-morrow, the Government desiring not to sit until Monday, and that the honorable member for Egmont has expressed the willingness of honorable members on this side of the House to sit on Saturday as well as on Friday.

Mr. HAMLIN.—It is really refreshing to hear the honorable gentleman protest, in a fit of virtuous indignation, that the Opposition has not persistently delayed the business of the country. They do not like that charge to be laid to their door, and, despite their attempts to set it aside, they have most ignominiously failed to do so. All their oratory and all their ability fail, and they have to collapse, and cannot give one good reason why the Assembly has been kept here for the last four months. Had the late Government known what was required by the country, we no doubt should have been home two months ago. But the miserable abortions which they brought down to us, and which they threw on the table of this House as Bills, were such abortions that they themselves were afraid to face—

Mr. GIBBS.—I rise to a point of order. I think the word the honorable member has just used is hardly a proper one, and that he is travelling beyond the question.

Mr. SPEAKER.—I think the honorable member for Franklin is straying very much from the point. The points he is referring to are likely, if dwelt upon, to lead to further loss of time. As to the choice of words, it is a matter of taste; but the honorable member is pursuing a course quite wide of the question now before the House, and one which cannot, by any stretch of indulgence, be regarded as pertinent.

Mr. HAMLIN.—I thank you, Sir, for putting me right, but I thought I was justified in referring to the remarks of the honorable gentleman who preceded me.

Mr. SWANSON.—I advise my friends to take the decision of the House, and to accept the last division and abide by it. Nobody knows better that the gentlemen who vacated those seats are determined to get back there again, if they can. I hope my party will be equal to the occasion, and will be able to keep them from those benches. Let us now, however, go in for taking the debate on Monday, and then come to a decision.

Motion agreed to, and debate adjourned till Monday at half-past seven p.m.

#### WANT OF CONFIDENCE.

Mr. SPEAKER.—Owing to the very irregular position into which we have got, I shall have to detain the House some little time. I would not have remained in the chair so long had it not been for the point of order on which my opinion was asked by the honorable member for Egmont. Perhaps the best way in which I can illustrate the first point on which I have to observe is by stating what occurred. Immediately on taking

the chair, and before I had called on the Orders of the day, the honorable member for Egmont rose. Now, that is contrary to usage. I shall read the Order, which is very clear upon that point: "When the House proceeds to the Orders of the day, . . . Mr. Speaker is to direct the Clerk at the table to read the Orders of the day, without any question being put." I had not called upon the Clerk to read the Orders, and the honorable member was premature in that respect. There arose a debate upon the point raised by the honorable member. The honorable gentleman proposed to make a motion. One honorable member after another got up and spoke to the point, and then the whole was interrupted by a message from His Excellency the Governor; and now we have arrived at this hour without my having been able to advise the honorable member. Then comes the question whether the honorable member can make the motion he proposed, which was to this effect: That all the Orders of the day be postponed, in order that the House might proceed to consider Motion No. 3 on the Order Paper. I am supposing now that the Order had been called on. The Order having been called on, then comes the question, Was it competent for the honorable member to make that motion? The honorable member referred to a case that had occurred in 1872, in which, on the motion of the Hon. Mr. Stafford, the remaining Orders of the day were postponed, in order to proceed to consider Motion No. 3 on the Order Paper. That was a motion of want of confidence. That, apparently, is a case in point; but what I would point out is this—and here is the difference: that such a thing may be done, and a great many other things may be done, when two parties consent, but when one party disagrees the case is altogether different. In that case Mr. Stafford and Mr. Vogel agreed. The practice is clearly laid down in May as follows:—

"Facilities of this kind are conceded by Government according to the importance and urgency of the motions to be discussed, and the state of public business. They have generally been given to motions amounting to a vote of want of confidence in Ministers; but not to Bills of independent members which, if carried in opposition to Ministers, would probably cause their resignation, for, if such a principle were admitted, the arrangement of public business intrusted to them would be taken out of their hands."

The essence is that consent should be given. Here consent is denied, and the case is therefore not to the point. The other point the honorable member for Egmont relied on was taken from May, page 244, edition 1868:—

"In postponing the Orders of the day, it had been customary, until 1866, to read and postpone each Order of the day separately. But this practice was attended with the inconvenience of dealing, twice during the same sitting, with each of a long list of Orders of the day, some of which at least were liable to discussion. The later and more convenient practice, therefore, has been, by a general order, at once to postpone all the Orders until after the particular notice of motion, which

is accordingly called by the Speaker, and proceeded with.

But the honorable member forgot to read the former part of that extract, which says,—

“When it becomes necessary to disturb the appointed order of business, and to give precedence to some important subject of debate, a special order is made for that purpose. If it be desired to give priority to a notice of motion on any day on which Orders of the day are entitled to precedence, notice having previously been given, a motion is made that the Orders of the day be postponed until after such notice of motion.”

There lies the whole essence of the question. Notice has been given. The practice, until 1856, was to call on each Order of the day that was liable to be discussed. In this particular instance there would have been fifty-eight motions to make. This practice was found to be inconvenient. Then came the practice of putting the question *in globo*, That all the Orders of the day be postponed, in order that the House might come to a certain motion which it was desired to deal with. But in such cases notice has to be previously given, and that is the essential feature. The case is very clear to my mind. The honorable member's only course will be to give notice.

Major ATKINSON.—I may state that, in rising before the Orders of the day were called on, I was following the precedent established by the last Speaker. I remember a case in which I got up, and I was told by him that I ought to move the postponement of an Order before it was called on, and I think you will find, Sir, that that has been the practice in this House. Of course, if you rule that it is not right to move in that manner, we shall not follow that practice in future. I shall not dispute your ruling, and I give notice that to-morrow I shall move—

Mr. W. WOOD.—As a point of order, I would ask whether it is not now too late to give notice of motion for to-morrow.

Mr. SPEAKER.—I do not think it is too late. It has frequently been the practice just before the Orders of the day have been called on to give notice of motion for next day. It is well known that the practice has not been strict in that respect. It would be a very different thing if the Orders had been called on; but under the present circumstances I think the honorable member is quite entitled to give notice for to-morrow.

Mr. STOUT.—I would submit that, seeing it is the duty of the Speaker, under the Standing Orders, to do a certain thing at a certain hour, and that duty having been interrupted by the honorable member for Egmont, the question comes up, whether now, seeing that it is past one o'clock, any business can be proceeded with. As far as I know the practice of Parliament, that is quite unprecedented. I will ask you, Sir, whether it is usual to give notice at this time. I would only point out that if this practice is inaugurated the result on a future occasion may be that honorable members will be taken by surprise.

Mr. SPEAKER.—In fact, I do not now regard it as a quarter-past one. It is, truly, *enac pro tunc*. It is half-past seven in a Parliamentary

Mr. Speaker

sense, as we have not yet gone to the Orders of the day.

Mr. MOORHOUSE.—Should I be in order in making a suggestion in this difficulty?

Mr. SPEAKER.—If the honorable member will allow me, I see no difficulty.

Mr. MOORHOUSE.—I was alluding to the remarkable condition of parties in this House, who are obviously in conflict. I was going to say that, if the honorable member for the Thames would appoint any hour to-morrow or any other day to take the division upon the motion of want of confidence, without debate on either side, I would suggest that our party should take issue at once.

Major ATKINSON.—I will then move, to-morrow, that all the Orders of the day and notices of motion be postponed until the House has disposed of the notice of motion, That this House has now no confidence in the Government. If it is necessary to make any further motion as to this motion coming on first to-morrow, I move, That it comes on first, as a matter of course.

Mr. SPEAKER.—It can only come on in its order; it can have no precedence. The course adopted in 1872, to which the honorable member has referred, was taken after concert between the honorable member for Timaru (Mr. Stafford) and Mr. Vogel. If the Government consent, the motion can be taken first; if not, it can only take its course.

Mr. STAFFORD.—I would recall to your recollection, Sir, that no sort of concert or communication whatever took place between myself and Mr. Vogel on the occasion alluded to. It was entirely a spontaneous act on my part, and even the gentlemen who supported me on the same side were not aware what I was going to do. Notice was given by Mr. Vogel to bring forward a question of want of confidence in the Government on a day on which Government business had precedence. He could not have brought it on before the other business on the Paper without the consent of the Government, unless the House had agreed to suspend the Standing Orders. I got up and moved that the Standing Orders be suspended, in order to enable that motion to be brought on.

Mr. SPEAKER.—When I used the word “concert” I did not mean that there had been any interview between the honorable member and Mr. Vogel on that occasion. I have quoted the words of May to show that one party cannot override the rules of the House and bring on business out of the proper order without the consent of the other. The Government are not compelled to assent to this, if they choose to stand by the rules of the House.

The House adjourned at half-past two o'clock a.m.

## HOUSE OF REPRESENTATIVES.

Friday, 9th November, 1877.

First Reading—H. H. Lusk—Want of Confidence—Land Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

## FIRST READING.

Marine Bill.

H. H. LUSK.

Mr. LUSK.—Before the House proceeds to the business on the Order Paper, I desire, with permission, to make a statement, which I think the House will willingly allow me to make, with regard to a personal matter that has been dealt with by this House in my absence. It must be in the recollection of all honorable members that the House some considerable time ago—

Mr. SPEAKER.—Does the honorable member propose to conclude what he says with a motion?

Mr. LUSK.—I will formally move the adjournment of the House, if necessary, as it would ill become me to move any motion with regard to myself.

Mr. SPEAKER.—If the honorable gentleman rises to make a personal statement affecting himself and his honor, the House will, no doubt, as it generally does, permit him to do so. I beg, however, to express a hope that in such case the honorable gentleman will not say anything that would lead to a debate; otherwise it would be necessary for him to conclude with a motion.

Mr. WHITAKER.—I was going to ask the honorable gentleman to postpone his statement for a few days, in consequence of the absence of the honorable member for Wanganui (Mr. Fox). The honorable gentleman wrote a note to that honorable member a few days ago, saying he would bring this matter before the House, and might find it necessary in the course of his remarks to mention Mr. Fox's name. He said he would put it off for a few days in consequence of the vote of want of confidence that was then before the House, and afterwards said he would further postpone it in consequence of the present motion of want of confidence which is pending, and said at the same time to Mr. Fox that, this motion now being before the House, his matter would not get fair consideration. Consequently Mr. Fox has left, and is away at the present time; and, as I believe the honorable gentleman is going to mention Mr. Fox's name in connection with the matter, it would, perhaps, be well to postpone it for a few days longer.

Mr. LUSK.—With regard to the remarks of the honorable member for Waikato, I should like exceedingly to postpone this matter until Mr. Fox's return; but I regret to say that that gentleman is likely to be away for some number of days, and, as this is a matter of some importance to me personally, I feel myself in a false position in this House until such time as I can explain how the matter really stands. If I, in the course of my remarks, should say anything to which Mr. Fox should object, it will be quite

competent for him at any future time—and I shall be most happy to give him an opportunity of doing so—to refute anything I say. I have no desire to say anything at all with regard to that honorable gentleman except in so far as it may be necessary to mention his name incidentally in the course of my remarks. As regards the position in which I stand in this matter, I think I am entitled to say that that position is one unprecedented in the history of the Parliament of New Zealand. I therefore trust the House will bear with me while I endeavour, as far as I can, without trespassing too much upon the time of honorable members, to place the matter in which I am so much interested in a fair light before the House and, through the medium of the House, my own constituents. The matter of privilege which was raised by the honorable member for Waitemata some time before I left on a visit to Auckland, was a question as to whether I had been guilty of a breach of the privileges of this House by engaging in certain work for the Municipal Corporation of the City of Auckland for fee or reward, that work being work done in the House. At the time that the notice was given, I stated in my place in this House that I regarded the matter as one which I had no objection whatever to an inquiry into; but I said at the same time that I had this one objection to urge—namely, that it was absolutely essential, owing to private business of a most urgent character, that I should leave for Auckland at the beginning of the week following that in which the motion was brought forward. That I stated publicly in this House; and I begged that, if any Committee was appointed, it should press on the matter, and conclude it before I left. When the Committee was appointed, I reiterated the request again and again to the Committee and to the Chairman (Mr. Fox). I may say that I was treated with much courtesy in the matter by the Committee in that they sat from day to day, and endeavoured, as I asked, to get the inquiry completed. But, Sir, while I think the Committee treated me with much courtesy in that respect, and while I say, as I believe has been stated in this House by the honorable member for Wanganui, that I felt I had been treated by the Committee with courtesy, still I did not think, and cannot now think, that the Chairman of that Committee treated me in the way I had a right to hope I should be treated. The Committee having reported to this House, their report having been printed and placed in the hands of honorable members on the Saturday previous to my leaving for Auckland, and I having again and again urged this as a reason for expedition, I complain that the Committee did not, through the honorable member for Wanganui, bring the matter under the notice of the House while I was here. It is a well-known maxim of English law and fair-play that no man should be tried and condemned without an opportunity to defend himself. That I conceive to be the position in which I was placed. At the sitting at which the first resolution brought up to this House was read, I told the Committee most strongly, and very irregularly, I believe, that it was my intention to protest in

the most emphatic manner against the finding I heard read from their minutes. The honorable member for Wanganui and the Committee were therefore well aware that I did not in any sense consent to the justice of the finding of the Committee. They were aware that the finding cast upon me a very gross imputation of untruthfulness. If honorable members will read the finding and the evidence upon which it is based, they will see that I am accused of having made false statements in this House. Under these circumstances I think it would have been only courteous to me, and in accordance with a spirit of fairness, that I should have been consulted, and an opportunity presented to me of being present when the matter was discussed. The honorable member for Wanganui knew from the first that I was compelled to leave for Auckland on the Tuesday; and he should therefore have done one of two things: he should have brought the matter forward on Monday, previous to the discussion on the want-of-confidence motion—and it is well known that all matters affecting the privileges of the House or the character of any of its members are allowed to take precedence—he should have brought the matter before the House on Monday; or, having failed to do that, he should have given me an opportunity of being present when the matter was brought forward. I assert that the honorable member for Wanganui did not treat me in the manner in which I would have treated any other honorable member if I had been called upon to perform the painful duty of making a charge against him. I should not have said so much on this point but for the fact that I glean from the record of the proceedings of the House that a large amount of the argument employed in the discussion of the matter was grounded on the supposition that I was a consenting party to the finding of the Committee. I understand that many honorable members were led to believe that I had left for Auckland well knowing that this matter was to be brought forward in my absence, and that I was willing—in the consciousness that I had done something that deserved censure—that it should be so decided in my absence. Now I say, on the word of a man who has never been found to go back from his word, that I never had the remotest idea that such a course would be adopted. It never for a moment crossed my mind that, after insisting that this matter should be dealt with while I was here, it would be gone on with during my compulsory absence, and things stated which were most injurious to my character and most insulting to my feelings. The true account of the matter is the account I have given to the House. I was under the impression that at least notice would have been given to me that this question was to be brought before the House, and that such notice would have been afforded as would have allowed me an opportunity of appearing here when the question was brought on, and making my defence as I should have made it. I regret on that account that this was not done, because it placed me in a false and exceedingly painful position; and I regret it more because, if the precedent is followed up, it will be apt to lead

*Mr. Lusk*

to painful results in other cases. With regard to the question of the contempt of which I have been found guilty by a majority of the House, I desire to say that my position in this matter has been entirely misunderstood. I do not wish to appeal to the House by going at length into the whole question, but I trust the House, in the tenderness which it always feels for a member whose character is brought into question, will excuse me if I occupy a short space of time in endeavouring to show what the facts actually are. I have stated that extreme courtesy was shown to me by the Committee to whom the matter was referred. I have no quarrel whatever with the members of the Committee. The only person whose conduct has in any way aggrieved me is the Chairman of the Committee, the honorable member for Wanganui; but, while I say this, I must also protest against the terms in which the findings of the Committee are couched. As I stated to the Committee while it was sitting, the finding was entirely opposed to the evidence. I intend, with the leave of the House, to point out shortly why I say this. The evidence, I take it, has been for some time in the hands of honorable members, and I presume has been read by them. It ought to be read in connection with the statement I made to this House, for I say, and I say it very boldly, that there is absolutely no discrepancy whatever in any part of the evidence and the original statement made by me. The Committee found two things: first, that I had received £50 from the Auckland City Corporation for services rendered previous to and during the session of 1876 in connection with the Municipal Corporations Act and the Auckland Waterworks Act. Sir, there is no evidence whatever—there never was any evidence—that the latter part of the statement was correct. It has never been shown in any way that I received remuneration for anything I did in connection with the Municipal Corporations Act which was brought in and passed by this House last session. The evidence is exactly the reverse. It will be found that I absolutely state—and I take it that my statement before the Committee was equivalent to a statement upon oath—I state that I received no remuneration, fee, or reward in connection with the Auckland Waterworks Act. Where is the evidence that I did? It is stated that an account was furnished which contained an item for drawing the Waterworks Act for the Corporation of Auckland. In reply to that, I state that I did not draw the Act, I did not charge anything for drawing the Act, and I never received anything for any service in connection with the Act. And it is to be remembered that the account was not compiled by me, sent in by me, or seen by me; and, in addition, that it was never paid to me or to any one else. If that is not a sufficient answer to the statement that a person is to be held responsible for every item in an account made up by another person, I fail to see how any answer can be sufficient. But, Sir, there was more evidence. It is to me a matter of regret that a Committee of this House, dealing with serious imputations against the character of one of its members, should have failed to obtain

all the evidence at its command. The question between the Corporation of Auckland and myself was a question in regard to which only two human beings were in a position to give evidence. I gave evidence as one of the principals in the matter. The only other person who could give evidence was the other principal, and his evidence was not asked for and was not taken. When his evidence was read in this House it was discredited; and yet I was adjudged guilty of doing that which I never did, and which the other person who made the bargain says I never did. How, I ask, is it possible for any evidence to be stronger than this? I shall have occasion to read to the House what the other principal said in the matter; but I shall now refer to the second finding, which was to the effect that "certain clauses appear, from Mr. Lusk's evidence, to have been inserted in the Municipal Corporations Act at the instance of Mr. Lusk, after interviews with the Government on the subject, which clauses the Auckland City Council desired to have passed into law, and for drafting which clauses Mr. Lusk was subsequently paid." But what does the evidence say? It says that "no clauses drafted by me were ever inserted in the Municipal Corporations Act." How then can it possibly be said that the finding was correct? I would read that evidence, but on the spur of the moment I cannot lay my hand upon it; but, Sir, I will state that in this evidence it is shown that the question was asked of me whether it was so or not. I was asked whether these clauses were inserted, and I said they were not inserted, but that they were handed over to another draftsman, who, in his turn, drew clauses which, although similar to mine in substance, differed altogether in form, and these were the clauses which were inserted in the Bill. What is it that a conveyancing counsel is paid for when he drafts a Bill? Why, it is simply for the form in which he puts his ideas. If the form is not used, his work, at all events, is thrown on one side; and I say deliberately and distinctly, since I have heard what has been said in this House on the subject, that no clause in the Municipal Corporations Act resembles in form any one clause that I drew. So much with regard to what is really and truly the literal question that was before this House. The literal question was, Had I been guilty of contempt of the privileges of this House by drafting these Bills and carrying them through the House? Well, Sir, the Waterworks Act was carried by me through this House, but for carrying it I received no fee or reward whatever. The Municipal Corporations Act of last session was not brought in by me, and none of its clauses were drafted by me. It was brought in by the Government, and was carried through the House with no more assistance from me than it obtained from many other honorable members of the House, and, as a matter of fact, with not nearly so much assistance as it received from some honorable members. I understand that I have been condemned on the strength of a particular Standing Order, but I fail to understand how that is so. I am bound by the decision of this House, and, if the House says that a certain

thing is a breach of its privileges, of course I must consider myself to have been guilty of a breach of its privileges. But I think I can understand plain English, and in my opinion it would be a most unfortunate thing if the plain meaning of plain words, as set forth in our Standing Orders, is to be held to be wholly different from what, as it appears to me, it is. Let any man read as I read the terms of this Standing Order, which says,—

"It is contrary to the law and usage of Parliament that any member of this House should be permitted to engage, either by himself or any partner, in the management of private Bills before this or the other House of Parliament for pecuniary reward."

If those words have the ordinary meaning which is attached to them by Englishmen, they mean that no member of this House shall bring before the House or promote in the House any measure in which that member himself may be concerned for fee or reward. I was not concerned for fee or reward in any measure ever brought before this House. I was not so concerned in relation to the Municipal Corporations Act or the Waterworks Act, and no one can say that, with regard to any clause that I made a draft of, I ever took any part in the proceedings of the House. There were clauses in the Bill that were drafted by the Government draftsman, which closely resembled the clauses which I had previously drafted; but was it ever shown in the House that I had taken any action with regard to those clauses? I say that the Standing Order was never infringed by me. I am given to understand that the idea was that there was a law behind our Standing Orders which overruled those Standing Orders. I do not like to remark upon what appears to me to be an idea contrary to all notions of fair-play. If there are certain rules laid down by this House, does it become the House to say that these rules, although we have laid them down, are little better than a trap? Honorable members may be led into a trap because they do not know that the rules mean something more than they are supposed to mean. I understand that our rules set forth that it is only in matters not dealt with in our Standing Orders that we take into consideration the decisions that are reported from the English Parliament. With regard to this, I may say that I hold that where we have deliberately said a certain thing we should not be overruled by the English Parliament. I do not think it fair to myself or to any member of this House that he should be held guilty of contempt because he has observed only the Standing Orders of this House, and not those of another House. I think it will be confessed by honorable members that, so far as the literal accusation made against me is concerned, there was singularly little upon which to found the report of the Committee. I do not know what other things may have led honorable gentlemen to take a different view of the case from that which I should naturally have expected them to take on the face of the evidence before them, but I cannot believe that they did anything but what they considered to be right, especially

when the result would be that a slur would be cast on a member of this House. It appears to me that it would be a most unfortunate thing for the House itself if we were to consider those who have been in ignorance of the somewhat doubtful meanings which are placed on the Standing Orders to be offenders. If every member who is ignorant of the exact meaning of those Standing Orders were deemed to be a criminal it would be a most unfortunate thing for the country. I do not wish to prolong the discussion of this matter, but I ask the House to consider these two points—namely, that, first of all, I did not do the thing which I was held to be guilty of doing; and, secondly, that the evidence taken before the Committee was only of a partial character. The Committee only accepted my evidence, and in opposition to that evidence a scrap of paper was put in; whereas other evidence might have been taken, and then the whole thing would have been made plain and clear. I put before the Committee a short telegram from Mr. Tonks, who was lately a member of this House, and who had been for some time Mayor of Auckland. The telegram I sent to him read thus: "Please state whether you agreed to pay me for promoting Bills before House last year, or only for professional work." His reply to that was, "I agreed to give you £50 for professional services." I thought, seeing that I had made a solemn statement of all the facts in this case, and seeing that I had declared that I knew nothing whatever of the account which was brought up, and with which I was supposed to have some connection—I thought that, when I had denied having any knowledge of that account, my word would be taken. This account was never recognized by the party to whom it was sent; it was sent without my knowledge, and it was never paid. I thought that when I stated those facts to the Committee the House would not dishonor itself by doubting my word. I did not believe that a Committee of this House would allow any member of the Assembly to be accused of telling untruths when he had made a deliberate statement which he considered as binding as if he had made it upon oath. I did not think members of this House would stand by quietly and see me accused of making false statements; therefore I never dreamt of getting an elaborate statement of my case from the Mayor of Auckland. But when I heard that I had been treated as I was treated, when I heard that things had been said which caused me much pain and which have been most injurious to my reputation, I wrote to Mr. Tonks, and requested him to state freely, as nearly as he could, what were the circumstances connected with any business communication I had had with the Municipal Corporation of Auckland. Before that time I had received from Mr. Tonks a memorandum, which has been already read by the honorable member for Akaroa in this House; but I had not the least idea that the matter would be discussed as was discussed, and I did not think that the short telegram which I read to the Committee was not sufficient. However, when I learned that such was the

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case, I asked Mr. Tonks, as the late Mayor of Auckland, to give me a free explanation of the whole of the circumstances. I got that explanation, and I have it here now, and, with the leave of the House, should like to read it. I may say I have had no other communication with Mr. Tonks on this subject; I have not attempted to refresh his memory in any way; and it is not fair to imply, as the Committee has done, that the statement he has made is in any way contrary to truth. I understand that that suggestion was made in the House. I understand that the suggestion was made that Mr. Tonks, lately a member of this House, was so base that he would, at my suggestion, affect to remember things that had not occurred, and give a statement to be read in the House totally contrary to the truth. Sir, what Mr. Tonks has written to me is this:—

"Auckland, 23rd October, 1877.

"MY DEAR LUSK,—The following is, as far as I can remember, the history of the £50 privilege case. Some time before last session the Auckland City Council required amendments to the Corporations Act, and it was intended to have a special Act drawn, but, hearing that it was the intention of Government to introduce a new Corporations Act, it was deemed advisable to have the special clauses we wanted drawn up by a solicitor for us, and, if possible, to get them incorporated in the Government Act. Your name was mentioned, and I was authorized to arrange with you. Accordingly, I met you, and after some conversation, in which I believe I asked you if there was anything to prevent your acting professionally for the Corporation, it was arranged that the clauses required were to be drafted by you for the sum of £50. After you arrived at Wellington, you either telegraphed or wrote, or both, asking for a Parliamentary agent to be sent down, and Mr. Stevenson was accordingly engaged and sent down for that purpose. Shortly after my return from Wellington I was informed that an account for £66 odd had been sent in to the Corporation for payment. I don't think I saw the account, but, in consequence of hearing of it, I waited on you, and reminded you of our agreement, which you at once admitted. The £50 was accordingly voted by the Council, and I presume in due course handed to you. I do not know that I can add anything to this plain statement of bare facts, but simply to hope that it may be of use to you.—I am, &c.,

"B. TONKS.

"P.S.—It is, perhaps, hardly necessary to say that in no way did our negotiations tend towards influencing your vote in the House, nor was it any part of our bargain that you should obtain any support to our views. Anything you may have done to secure such support was quite voluntary on your part.

"B. TONKS.

Now, that is not a statement elicited by me from Mr. Tonks—not a statement which I asked him to make in order to get me out of any difficulty. I could not so have insulted a gentleman in his position, nor should I consider myself base enough to attempt such a thing. I would not insult him by supposing him capable of being a participator in what is little better than a crime. That is a plain statement of the matter, so far as

Mr. Tonks remembered it; and it will be found, on looking at the evidence given by me, that that plain statement of bare facts in every way tallies with the statement made by me before the Committee. It has been said that I came to Wellington and endeavoured to get this Bill that I had drawn embodied in the Government Bill; that I saw Sir Julius Vogel, then Premier of the colony; that I urged on him the doing of this; that for these things I charged money; and that, therefore, I was promoting the Bill before this House. It may possibly be that, had I done all this, I should have been promoting the Bill before the House, and have left myself open to the charge of doing that for which the House has thought fit to visit me with, I suppose, as severe a punishment as the House could well have inflicted upon a man who was really guilty. But what are the facts? £50 was offered to me for drafting certain clauses which were intended to be used by the Corporation; £50 was paid for doing that which Mr. Tonks has stated, and I have sworn it was not paid for anything beyond that. When I came to Wellington, when I saw Sir Julius Vogel, and when I did all the things which I freely admit that I did with the view of advancing what I thought were very worthy objects on the part of the Corporation of Auckland—I say, when I did all this, I did it, as Mr. Tonks has stated, absolutely gratuitously, absolutely out of goodwill. I told the Committee, in evidence, that I was entitled to the £50 before ever I came to Wellington, and before ever I saw Sir Julius Vogel at all. My work was done at the moment when I had drafted these clauses for the Act, and when these clauses were accepted by the Mayor of Auckland and the Committee of the Council as being satisfactory for their purpose. Then I was entitled to receive the money, and then the bargain was concluded. If I came to this House and afterwards exerted myself, it was not as a paid solicitor, but it was as a member for the Province of Auckland who really believed that it was desirable that certain things should be done. I say, without the slightest hesitation, that no one can go through the evidence and show that I did anything that was wrong in intention. But I may go further. It has been said, Sir, by yourself in this House—and I have to express to you my thanks for your having stated that in the chair which we all know to be perfectly correct, but which comes with peculiar force when stated by you, from your great knowledge, your long experience, and your high position—I say I feel exceedingly obliged to you for stating that which we all know to be true—namely, that that which I did has been habitually done in all time since this Assembly existed by legal gentlemen who held seats in it. It does appear to me a strange thing that the House should, in this year of grace 1877, have suddenly discovered that a great breach of its privileges had been committed, that there was a gross contempt of Parliament being committed by one member, one young member, inexperienced in the ways of this House, by his drafting a Bill which afterwards came before the House. It did not require to be a young member of the

House to do this. The oldest legal members have done it. They have done it every year. The honorable member for Waikato did it last year. And it was stated by the honorable member for Auckland City East—he stated it like a man and a gentleman—it was stated by him that he did it last year. The honorable member who sits on the Government benches, Mr. Sheehan, stated that he did it, or, rather, that he agreed to do it, which is almost as large a contempt. When I find that last year one of the oldest members of this House, who has been Attorney-General of the colony time and again, who should have known if he was doing anything wrong, did the very thing I was charged with doing—

Mr. WHITAKER.—If the honorable gentleman is alluding to me, I can only say that his statement is incorrect. I did not draft a Bill, and, if I did, I did not get paid for it at all events.

Mr. LUSK.—I expected the honorable member would say so. I do not know whether the honorable member received the money or not, but the money was paid to the firm of Whitaker and Russell. I know that £33 was paid for drafting a Bill for the Harbour Board of the Thames; and a further payment of £3 5s. 6d. for clerk's fees was made. That money was paid; at all events the books of the Board show it to have been paid. I do not know whether the honorable member was aware of it; I do not say that he was; I do not know anything about that. But I state plainly what is a fact, and, if the honorable member will turn to the *Thames Advertiser* of the 12th May of last year, he will find a very full and very remarkable report bearing upon the whole matter—a report which I do not think it is my place to bring before the House. I have no revengeful feelings towards any member of this House. I should consider that I was acting a contemptible part if, because I think I have been treated with extraordinary harshness and with some degree of unintentional injustice, I were to turn round and assail honorable members in all directions in this House, and say that because I have been punished I would have them all punished as I was. I trust that my feeling of respect for myself will at all times keep me from so low a mode of answering what appears to me to be the very unjust charge brought against me. I have no desire to do this. I only mentioned the honorable gentleman as an instance; he was only one of many. As you yourself stated, the House has never taken up this position before. It has never visited upon the legal members of the House any kind of displeasure before this time. It has been a constant custom, an unchallenged custom, of members of this House, of old members, to do this work; and, however undesirable it may be—I agree, upon consideration, that it is undesirable that this should be done—however undesirable it may be, it does appear to me to be a very singular thing that perhaps one of the very youngest and newest members of this House, almost before he had taken his seat in the House, indeed, actually before he had taken his seat, should be held to be guilty of contempt of this House for doing that



which, after all, appears on the face of it to be in accordance with the Standing Order. It is not my desire in any way to appeal to the mercy of this House. I do not think that, had I been here when this question was discussed, I should have made any appeal *ad misericordiam* to this House at all. I do not think that I should have taken up that position and cried, "*Peccavi*; deal lightly with me, because I am a young man or a young member." It would not become me to do this in the face of the fact which we all know—that I have not been alone in this, that I have only done what other people have been constantly doing. I say it would not become me, although I feel exceedingly obliged to many honorable members of this House—

Mr. SPEAKER.—I do not wish to interrupt the honorable member, or desire that he should omit anything from his statement which he thinks material, but I think the honorable gentleman is occupying a rather long time in making his personal explanation.

Mr. LUSK.—I admit that I have been a long time, and I regret that it is necessary to be a long time; but, if you will permit me to say so, it appears to me that if ever indulgence should be granted to a member of the House that indulgence would come with a singularly good grace on the present occasion, and I will appeal to members of the House whether they consider that, in the statement I have been making, or in the manner in which I have made it, I do not deserve to be heard to the end with all the patience which the House can find in its heart to give me. I have no desire to make a much longer statement, and least of all do I desire to say anything in the way of recrimination. If I have said anything in regard to other honorable members it has not been with any idea of recriminating. It has been merely with the idea of putting myself right with the House, and putting myself right with my constituents, who, of course, read what is said in this House, and who will naturally think, from the course adopted by the House towards me, that I was guilty of something most exceptional and most improper. I conceive that I was guilty of nothing exceptional. I conceive that throughout this House every member knows that what I did do was less a breach of the Standing Orders than that which is done every session by members of my own profession, who are never found fault with or punished in any way for doing it. If that be so, I am entitled to say that it does appear to me that I have been treated with great harshness, when it is considered that, even had I intended to do what I ought not to have done, supposing it was admitted that I had intended to bring in the clauses I drafted for the Council, and had intended to pass them through this House—the fact that I never did bring them in, that I never did pass them through the House, and the fact that there was not a tittle of evidence to show that I took any part in passing such clauses through the House, should certainly have weighed to make it appear that my case, however desirable it might be to use it as a means to establish a precedent in the House, should at least not be used for inflicting a punish-

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ment upon a member which, to those who did not understand the matter, might have somewhat the appearance of a vindictive punishment. Sir, I am not praying the House to reconsider its decision. I am not arguing in order that the fine imposed on me should be remitted. I am merely stating what appeared to be the reasons why, had I had the opportunity, which I believe I was equitably entitled to, of being here at the time that the matter was under discussion in this Assembly—had I had that, then, as I firmly believe, the sense of justice, the sense of fair-play and generosity which always characterize a body of Englishmen such as this would have been extended to me, and that I should in no way have been treated as if I were a criminal for that which, at the very utmost, and in the very gravest way in which it could be treated, was but an error in judgment. Only one word, Sir, in conclusion. I had forgotten one point, and that was this: It was, I understand, asserted that I might very easily have put myself right if, when I had found that I was doing wrong, I had gone to the City Council and refused to accept the £50 that was paid to me. Had I believed for a moment that I was doing wrong—had I had the least impression in my mind that I was doing anything contrary to the practice of this House, anything contrary to the privileges of the House, those who know me know well enough that £50 would not have induced me to do anything of the kind. But I did not know it; and, in spite of remarks that were made here by the honorable member for Wanganui, whom, were he in his place, I should have mentioned in a very different way from that in which I have done—in spite of what the honorable member for Wanganui seems to me to have said in this House, that I admitted that I knew I was wrong—that when I came here I discovered that I was committing a breach of the Standing Orders of this House—I say there never was a case in which evidence was more misunderstood or more twisted than this evidence must be to leave any such impression as that. I did not know, I never dreamt, that I was doing anything contrary to the Standing Orders of the House. I knew perfectly well, not so much from the Standing Orders as from a general impression gained by what I had heard from members and from the Clerk of Parliaments in relation to another matter, that it would never become me to act as an agent in promoting Bills. But I never dreamt that anything I had undertaken to do, or anything I did do, was in the nature of agency in any way whatever. I accepted the £50 in perfectly good faith, believing that I was as thoroughly entitled to do so as I was to receive any other professional fee for professional work; and, in spite of what has taken place, in spite of all the unfortunate results which have flowed from that act, which, at the outside, was at most an inadvertently erroneous act, I am prepared to say that I do not consider that I did anything in the slightest degree morally wrong; and I can assure this honorable House that I never did, and never dreamt of doing, anything in any way liable to the charge of being in the nature of a contempt of Parliament. Sir, contempt of Parliament is

about the last thing that I should be guilty of. I have the highest respect and reverence for the dignity of Parliament, and I believe that I can refer to you and to every other honorable gentleman in this House whether, throughout the two sessions during which I have had the honor of having a seat in this House, I have not, by my conduct as a member, shown that I have the highest respect and the highest regard and reverence for the dignity and the rights of the House. I have to thank honorable members for the manner in which they have received this explanation, and I can only say that I am very sorry that I should have been obliged to occupy so much of the time of the House.

#### WANT OF CONFIDENCE.

Mr. SPEAKER directed the Clerk to call on the Orders of the day.

Sir G. GREY and Major ATKINSON rose to speak, and Major ATKINSON sat down.

Sir G. GREY.—I move, That the consideration of the Land Bill be postponed until after No. 6.

Mr. SPEAKER.—The Order has not been called on. The question arises, as a matter of practice, whether any motion proposed to be made in respect to the first Order of the day is to be made before the Order is called on or not. My own plain reading of it would be that the House should wait until the Order is called on. I understand it has been the practice that any motion made in respect of the first Order of the day is to be made prior to its being called on; that the Speaker having intimated "We will proceed to the Orders of the day" is, in fact, a calling on. So be it, on the minor point. Then comes the question of two honorable members apparently rising at the same time. Do I understand that that is so?

Sir G. GREY.—No.

Major ATKINSON.—I rose certainly.

Sir G. GREY.—I rose first.

Major ATKINSON.—Undoubtedly I rose first.

Mr. SPEAKER.—So be it. I will, for the present, regard this as the practice—I am told it is the practice, although I do not see the reason of it—that, when any motion is to be made in regard to an Order of the day, it is taken to be a calling on when the Speaker intimates that he is about to proceed to the Orders of the day. Therefore, the first Order of the day having been called on, if the honorable member for the Thames thinks he has precedence, well and good. At the same time, if he has, and makes a motion, as I understand him to do, there is a motion on the Paper which is clearly capable of being brought on, I have no doubt, and, if it can be brought on, so it is capable of being brought on by way of amendment.

Mr. STOUT.—I would like to speak to a point of order. There seem to me to be two points involved in this matter. I am speaking now strictly to the point of order, because I apprehend that you, Sir, will admit that it is a most important point which has not previously been raised in this Parliament. The first point is this: There being a notice of motion on the Paper, that notice of motion cannot be taken out

of the regular course. That notice of motion is placed on the Paper after the Orders of the day, and before this House can get to that motion the fifty-seven Orders of the day on the Paper must be disposed of. If this motion has precedence, then it ought to have been placed before the Orders of the day on the Order Paper; but, under Standing Order 71 you must direct the Clerk to call on the Orders of the day without putting any question. I admit at once, when the Order of the day "Land Bill—in Committee" is called on, the honorable member would be quite in order to move that each of the Orders be postponed separately. For instance, when the Land Bill is in Committee he might get up and move that the Chairman report progress, and ask leave to sit again; and so all the various Orders of the day could be disposed of. But until this is done, if we are to be guided by the Order Paper at all, the honorable member for Egmont has no more right to move Motion No. 1 than I have to move my Motion No. 11. I know I cannot prove this to the satisfaction of the honorable member for Egmont, because his mind is a little warped at present; but I am appealing to you as judge in a party matter, where two parties are, perhaps, rather excited, and I say that this notice of motion, standing on the Order Paper as No. 1, cannot be reached by this House until the whole of the fifty-seven Orders of the day are disposed of. If it could be reached, why should not Nos. 2 and 3, and other notices of motion, be brought on? Then there is another point involved. I understood you, Sir, to rule, early this morning, that, where Government business has precedence, that can only be got rid of by the Government consenting to its postponement. Now, in the famous case referred to in May, last edition, pages 255–257, where the case of Poland was being discussed, a motion was made to postpone the Government Orders of the day, and that was moved by Viscount Palmerston, who was then in the Government. He moved a motion asking the leave of the House. That is, the Government having power to arrange the business as it pleased, Viscount Palmerston moved a motion, and the House thought fit to disagree with that motion, and did not go to the Orders of the day. Mr. Horsman made a speech, reported in *Hansard*; and I would ask you to notice the peculiar circumstances under which that motion was made. Mr. Horsman explains the circumstances, and I may say that Lord Palmerston afterwards admitted Mr. Horsman's statement of the facts to be correct. Mr. Horsman said,—

"On Monday last he had the power of bringing it on; but he is requested by the Government to postpone it, and the Government, in the face of the House, makes a compact with him—in the name of the House, with the assent of the House, without a single dissentient voice—that if he gives up that right he shall have the opportunity of bringing forward the question to-day. In consequence of that compact he foregoes his opportunity; and to-day, when the noble Lord at the head of the Government, who is the best judge whether a discussion will embarrass the Govern-

ment, comes forward to fulfil his promise, honorable gentlemen get up without notice, take the House by surprise, and propose that that understanding with the House should be violated."

That was, Mr. Horsman, after a division took place, complained of the conduct of the House in refusing to allow Mr. Hennessy's motion to come on. There are in that case three or four peculiar facts. First, the House had assented to this course being adopted without a dissentient voice. Second, the head of the Government had moved the postponement of Government business. Now, these are two facts that are quite dissimilar from the present case. That is not all. There is another case in *Hansard*, which is also referred to in May, in which Mr. Du Cane was to make some motion in reference to taxation. Sir James Graham brought the matter before the House, and he urged that the motion should not be moved until it rightfully had precedence of the Orders of the day; and the Speaker concurred in this view.—(English *Hansard*, Vol. 156.) The first point I would put is this: This notice of motion, appearing on the Order Paper as Notice No. 1, cannot be taken out of the regular course. I submit that, if it were, it would be quite unparalleled in the annals of this Parliament. I defy the honorable member for Egmont to cite a single precedent in which that has been done. Of course we know that the Orders of the day may be postponed by the universal consent of the House and the consent of the Government. The second point is this: that, as Standing Order 71 says that Government business shall have precedence on this day, and no question is to be put by you on calling on the Orders of the day—and, consequently, as no question has been put, no amendment whatever can be moved—I submit that, before this notice of motion can be discussed, there must be a suspension of Standing Orders under Standing Order 71. I submit that on both those grounds my contention is correct; and I hope that, however bitter and irritated some honorable members who are longing for office may be, they will consider this matter of order and precedence and the conduct of our business as even more important than party fights.

Mr. REES.—Speaking to the point of order, I would indorse everything that has fallen from the last honorable member, because it would absolutely defeat, without any hope of the aversion of that defeat, the order of business in this House if any such notice of motion is permitted to be taken out of the regular course before the Government Orders of the day. Honorable members will at once see that then, in order to entitle any motion to precedence over all other motions and Orders of the day, it would only be necessary to word a motion to this effect: To move, on the first Order of the day being called on, that so-and-so. This would defeat the whole of our Standing Orders and the whole of our Parliamentary practice. If the honorable gentleman had known Parliamentary practice he might have put a notice on the Supplementary Order Paper that, on the first Order of the day, he would move an amendment to the effect that

Mr. Stout

the House has no confidence in the Government. But this notice of motion is on the Order Paper: it is not an amendment at all, but a substantive motion. It may be said that the purpose of giving this notice of motion may be defeated unless it is allowed to be put now. But a member might put an impossibility on the Order Paper—such as putting on Friday's Order Paper a notice that he will move something on the previous Thursday. This motion is an impossibility, because, as the honorable member for Dunedin City pointed out, before this notice of motion can be reached upon a Government day the Orders of the day must be exhausted. The honorable gentleman might have attained his object in another way. He might have moved on Wednesday—when notices of motion would come first—that Orders of the day should be suspended upon a future day. That might have come on in the ordinary course. Not only is the present proposal against Parliamentary practice, but it is revolutionary. I understood you, Sir, to say that there was such a practice as would admit the possibility of a notice of motion being called on before the Orders of the day. I apprehend that there is no such practice in this House or the House of Commons.

Mr. SPEAKER.—I do not wish to be misunderstood by the honorable member. All I stated with respect to practice was that, the Speaker having intimated that the House would proceed to the Orders of the day, that was a sufficient calling on to permit of any one making a motion. I stated that I understood that to be the practice, although I did not myself understand the *rationale* of it.

Mr. REES.—That is the practice only in certain cases of privilege—cases of that sort which take precedence, by the right of the House itself, of all other business. But I submit to you, Sir, absolutely that there is not a single instance of an infraction of the rule that on a Government day Government business takes precedence of notices of motion and all other business. If a question of privilege arises, or a statement like that of the honorable member for Franklin intervenes, or a message from the Governor is brought down, they supersede the Orders of the day for the time. That may be the general rule; but there has never been in this House or in the English Parliament any instance of a notice of motion being brought on before the Orders of the day on a Government day. We shall have not only to suspend the Standing Orders to allow it to be done, but we shall have to move formally that the Standing Orders be suspended. If the course proposed were allowed to be pursued, an honorable member would be in a better position than by moving the suspension of the Standing Orders if he simply gave notice, as in this case, that upon the Orders of the day being called on he would move that they be postponed. We cannot argue that until the Orders of the day have been considered. It is plainly laid down in sections 70 and 71 of our Orders of Procedure that, on days when Orders take precedence, Mr. Speaker shall direct the Clerk to read the Orders "without question being put." Therefore this motion is of no use,

because there is no question upon which the motion can be put. Even if it were an amendment it could not be put, because the rule is, unless the Standing Orders are suspended, to call on the first Order of the day. According to this Order Paper, you direct the Clerk to read the Order of the day for the further consideration of the Land Bill in Committee, and you then leave the chair. If this course were allowed to be pursued, half-a-dozen notices of motion might be given for Monday next, and another half-dozen for Tuesday, and the consequence would be that not a single Government measure would ever be brought forward. One person could absolutely stop all the business of the House, even without talking against time, by simply putting a notice on the Paper, "On Monday I shall move, on the first Order of the day being called on, so-and-so;" "On Tuesday, on the first Order of the day being called on, I shall move so-and-so." And so on. Why, Sir, it is revolutionary—it is absolutely revolutionary. Honorable members must see at once that to allow this would upset the whole basis of our Parliamentary precedents. Such a thing has never been heard of. I unhesitatingly say that such a principle has never been propounded before. It is not to be found in any book, in any case, or in any debate. The Government on certain days has the privilege of bringing its business before the House, and nothing can stop it, because it is the special business of the country. Then, on private days—say, on Wednesday next—an honorable member sees thirty-one notices of motion on the Order Paper: what has he got to do? He has only to give notice that at half-past seven o'clock, on the first Order of the day being called on, he will move a certain motion. The thing is preposterous. An Order of the day would never be disposed of if it be superseded in this way by a notice of motion, unless a special order has been made, and that Order must first be moved for and discussed. Let the honorable member move the suspension of the Standing Orders—that I allow he can do—but unless he gets the Standing Orders suspended he cannot proceed with his motion. I do not know from what source you have obtained your authorities, Sir, but I unhesitatingly say that there is no such practice as that, on a Government day, an honorable member can give notice that, upon the first Order of the day being called on, he will move that all the Orders of the day be suspended in order that a certain motion shall be taken.

Mr. TRAVERS.—Speaking to the point of order, I think your ruling, Sir, was to this effect: that, upon the Orders of the day being called on, it was open to an honorable member to move that the Orders of the day be postponed, so that some particular motion should be taken. That has been done in this House on more than one occasion. The honorable member for Auckland City East argues that the accident of the honorable member for Egmont having given notice of his intention to do that prevents it, because his motion appears on the Order Paper. But surely, Sir, that is pure surplusage. The honorable member's right is just as good as if the motion did

not appear there; though it seems to me to be more convenient that the honorable gentleman should give notice. It is in the nature of an intimation—not a notice of motion in the ordinary sense—by the honorable member for Egmont that, on the Orders of the day being called on at that particular period, he will move in a particular direction in regard to them. The mere fact of its appearing on the Order Paper is in the sense of its being put on the Supplementary Order Paper, and is a notification to the House of that which the honorable member intends to do, and which, according to your ruling, Sir, he has power to do when the Orders of the day are called on.

Mr. REES.—No.

Mr. TRAVERS.—Well, if that is not your ruling, Sir—

Mr. REES.—Is it your ruling, Sir, that it is competent to an honorable member to rise in his place when the Orders of the day are called on, and then and there, without moving for the suspension of the Standing Orders, to move a certain motion?

Mr. SPEAKER.—Probably it will be better to wait until the honorable member has concluded his remarks.

Mr. TRAVERS.—I understood your ruling to be that it was competent to the honorable member to move such a motion.

An Hon. MEMBER.—With the consent of the Government.

Mr. TRAVERS.—Without the consent of the Government at all. I conceive that the consent of the Government is in no sense necessary. I see the following recorded in the Journals of the House as having taken place on the 21st September, 1875:—

"*Postponement of Orders of the Day.*—Ordered, That Orders of the day 3 to 30 inclusive, on the Order Paper of to-day, be postponed."

Mr. BARFF.—For what purpose?

Mr. TRAVERS.—For the purpose of dealing with No. 31, I presume.

Mr. BARFF.—That is an Order of the day.

Mr. TRAVERS.—That is immaterial. It is for the purpose of taking any business which this House may think desirable. That the Government have the right to regulate the procedure of this House is an utter and absolute fallacy. The House regulates its own business, and not the Government. The language of the Standing Order is as clear and definite as language can be—that is to say, it is clear and definite to anything but party comprehension. It is absolutely clear and definite as a matter of English language, but it is utterly unclear and indefinite to those who, in the teeth of plain English language, choose to put upon it an interpretation which suits a particular purpose. The language is this: "The Orders of the day are to be disposed of in the order in which they stand upon the Order Paper, the right being reserved to Ministers"—of what? Not of taking the Orders of the day first—not of forcing upon the House the consideration of their Orders at all—but the right of placing Government business at the head of

the list." That is the whole of their right. The list, as it stands, is the list of the business of the House, and the House has the right to regulate the mode in which it will conduct its business. The House can make any order it chooses in regard to the conduct of its business. The Standing Order does not say that Ministers have the right, not only of placing Government Orders of the day at the head of the list, but of having them considered in precedence of any other business. That would be revolutionary. That would be compelling the people to listen to nothing but what the Government placed before them. That would be placing the whole of the procedure of the House absolutely in the possession of the Government, and not in the possession of the House. But that is not the case. The Standing Order leaves to this House, absolutely and incontrovertibly, the power of dealing with the business in such manner as it thinks fit. That is the interpretation of the Standing Order, if it be taken in the plain sense in which the English language puts it. It says, "the right being reserved to Ministers of placing Government business at the head of the list in the rotation in which it is to be taken on the days on which Government business has precedence"—that is to say, precedence over private business, but not to force upon the House the duty of absolutely considering it, whether the House thinks fit to do so or not. I am satisfied that the ruling which you will give upon this point, by the light not merely of the true meaning of English language, of which you, Sir, are a perfect master, but by the light of reason in dealing with matters of this kind, will be that no Order of this House has ever been made; and the House has never dreamed of making an Order which would remove from its control the manner in which its business is to be conducted; and that your ruling on that question will determine the conduct of the business of this House. I believe it is in the power of this House respectfully to consider any ruling you may give, with the view of determining whether it would ask you to alter your ruling; but this House, knowing how clear and definite is the language of these Standing Orders in this respect, will not have occasion to ask for any alteration in the ruling which you will give on the present occasion.

Mr. BARFF.—The honorable gentleman says the language of the Standing Orders is so clear that it cannot possibly be mistaken. That is perfectly correct. I defy any one who has any of the common sense and brains to which the honorable member for Waikato alluded a few days ago to misinterpret Standing Order No. 71, which says,—

"When the House proceeds to the Orders of the day, on days on which Orders have precedence, and after the notices of motion have been disposed of on all other days, or on the House resuming at half after seven o'clock, as the case may be, Mr. Speaker is to direct the Clerk at the table to read the Orders of the day, without any question being put."

In this case it is proposed to put a question before the Orders of the day are called on; but before that can be done the Standing Orders must be suspended, and that cannot be done

Mr. Travers

without the consent of a large majority, or without notice. Now, if the Standing Orders are to have no weight, why go to the expense of printing them? As a matter of fact, we know that all the oldest and ablest members of this House have for years past been content to be bound by these Standing Orders; and the language of the Standing Order that I have just read is so clear that it cannot possibly be mistaken by the youngest or most inexperienced member. Standing Order 72 then goes on to say,—

"The Orders of the day are to be disposed of in the order in which they stand upon the Paper, the right being reserved to Ministers of placing Government business at the head of the list, in the rotation in which it is to be taken, on the days (Tuesdays and Fridays) on which Government business has precedence; but such business, if not disposed of on those days, shall revert to that position on the Order Paper which it would have occupied if it had not been advanced as Government business."

It has been ruled for many years in this House that, whenever it was considered necessary to give more than two days (Wednesdays and Thursdays being the days upon which private business is taken), it could be done by resolution of the House, proposed either by a member of the Government or by a private member. On such a resolution being passed, we are bound by Standing Orders 71 and 72, and no infringement of them can take place under any circumstances. Not only are these Standing Orders sufficiently distinct in themselves, but we have also others which tell us that, where no provision is made to meet special cases, we are bound to take for our guidance the rules and usages of the House of Commons, which are very distinctly laid down in the authorities to be found in the library. There is nothing whatever, as far as I can make out, in the customs of the House of Commons that would for a single moment allow the Standing Orders to be virtually set aside without a resolution for their suspension first being carried. One honorable gentleman who addressed the House said that if this line of conduct were persisted in it would result in our proceedings becoming revolutionary; but let me ask the honorable gentleman what would be the result if certain other Standing Orders relating to contempt were not strictly enforced. The result, I think, would be that, instead of the tolerably strong language in which honorable gentlemen describe what they regard as shady transactions, we should hear language used which would certainly not be fit for the inside of a Parliamentary building. I say that, from the troubled expression which the countenances of some of those honorable gentlemen have worn during the time they have been attempting to keep back business—for from the day when they saw the handwriting on the wall which told them that their kingdom had departed from them, their countenances have indicated vexed and troubled minds—I fear that, if the Standing Orders are upset in one particular, we shall have those honorable gentlemen upsetting them in a manner that will turn this House into a bear-garden. I hope, Sir, you will see that

very serious innovations will be introduced if the Standing Orders are allowed to be overturned in any particular. We are now witnessing a series of manoeuvres which are intended to produce a certain result—a result which has had no parallel in the history of the Parliament of New Zealand, at all events. I do not blame the honorable gentlemen for using every means to secure the end they have in view, but it is also the duty of members on this side of the House to withstand anything in the nature of revolutionary action.

Mr. REYNOLDS.—The honorable member for Wellington City has quoted a case where a number of Orders were postponed in the session of 1875 in order to arrive at a particular Order. It is quite competent for the Government to make a proposal of that kind at any time, provided they have the charge of the Order Paper for the day. According to our Standing Orders the Government have the charge of the Order Paper on Fridays, and, if they are not prepared to go on with any of their Bills, it is quite competent for them to move the postponement of those Orders, just as it is in the power of a private member to deal as he thinks proper with his Bill when it comes on. The honorable gentleman says the House has a right to regulate its business. I admit that, but it must do so in terms of the Standing Orders. The Standing Orders will be of no earthly use if they are not to be observed. They provide for such a contingency as the present. The Standing Orders may be suspended in order to deviate from the regular course of business, and they prescribe the course to be adopted in order to secure their suspension. I do not say that I have had as much experience as some of the legal members of the House, but, having acted for a considerable time as Speaker of the Provincial Council of a very important province, I have had considerable opportunities for discussing such questions as the present, and if I were in that chair I could not conscientiously allow the motion of the honorable member for Egmont to be put.

Mr. WHITAKER.—The honorable member for Dunedin City (Mr. Stout) put the matter before the House very fairly. He made two objections. The first objection was that, the notice having been put in a certain position on the Paper, it could not be taken out of that order, and that the business before it must first be dealt with. The second objection was that no Orders of the day could be postponed without the consent of the Government. Three honorable members have addressed the House since then, but they have not added anything new to what was stated by the honorable member for Dunedin City. I shall, therefore, direct my remarks to his observations. In the first place, I think he is mistaken in his interpretation of our Standing Orders, and he is also mistaken in what he conceives to be the practice of Parliament. With regard to Standing Order 70, it will be found that it exactly describes the position in which we are now. It says, "Unless the House shall otherwise direct, Orders of the day for Tuesdays and Fridays are to be disposed of be-

fore the House will proceed upon any motions of which notice shall have been given." It appears to me that that settles the whole question. It says distinctly, "unless the House shall otherwise direct." It is perfectly competent for the House to direct otherwise if it thinks fit. The only question that arises is, whether this can be done without notice, or whether notice must be given. It appears to me that it would not be reasonable that it should be done without notice, because members might be taken by surprise, and the whole order of business might be reversed without anybody being aware that it was intended to interfere with it. But that the House has the right to direct its mode of business is perfectly clear. If proper notice is given it can deal with its business in any manner it thinks fit. Yesterday there was a discussion as to whether, after first postponing on notice the prior business on the Order Paper, Motion No. 3 could be brought on, and I understood you, Sir, to rule that that could be done. I think that ruling is correct; and, following it up, notice was at once given by the honorable member for Egmont that all the Orders down to No. 4 on the Order Paper for to-day should be postponed. Rule 70 settles the question. I shall now say a few words in answer to the remarks of the honorable member for Dunedin City on Standing Order No. 72. That Order shows that Orders of the day are to be disposed of in the order in which they stand on the Order Paper. If we are to recognize that, the motion just now made by the honorable member for the Thames would be irregular, because he proposes that all the Orders of the day down to No. 6 should be postponed in order that that one may be taken up. The Standing Order 72 simply means that there is a certain order in which the business should be taken, unless some alteration is duly made in the Order Paper. The Government have no right to deal with the Orders of the day as they think fit; all they have a right to do is to place the Government business at the head of the list, but that does not interfere with the power of the House to deal with the business of the day in the way it thinks fit. The fact is that by the Standing Order the Government are merely allowed to place their business in a certain position on the Order Paper. Now I will say a few words with regard to precedents. The honorable member for Dunedin City has given us one or two precedents from May to show that his party are in the right, but he did not quote the twenty or thirty precedents which are referred to in May and which go to show that the Orders of the day may be postponed. I have picked out a few of those cases at haphazard, and they appear to me to meet the present position. It seems to me that the House of Commons has the power, and that we have the power, of ordering that the business shall be taken in a particular way. May says,—

"If it be desired to give priority to a notice of motion on any day on which Orders of the day are entitled to precedence, notice having been previously given, a motion is made that the Orders of the day be postponed until after such notice of motion."

Again, on one occasion all the notices of motion and the first six Orders of the day were postponed in order to take an adjourned debate. It appears to me to be reasonable that the notice should be given. In volume 125 of the Journals of the House of Commons, page 89, it is—"Ordered, That the Orders of the day be postponed till after the notice of motion for leave to bring in the Peace Preservation (Ireland) Bill."

Mr. BARFF.—That was a matter of urgency.

Mr. WHITAKER.—The honorable gentleman is talking about a matter which he does not understand. It seems to me that questions of this sort are not exactly in his line. I say that there was no urgency whatever in the matter. In volume 127 of the same Journals, it is stated that it was—"Ordered, That the Orders of the day be postponed until after the notice of motion relative to the Judicial Committee of the Privy Council." That was a vote of censure on the Government for appointing Sir Robert Collier to the Privy Council. The motion stood after the Orders of the day on the Order Paper, and it was ordered that all the Orders of the day should be postponed in order that that motion might be brought forward. Honorable gentlemen will find all these cases quoted on page 256 of May, in the edition of 1873. I think that the extracts I have read confirm my opinion that it is competent for the House to postpone all the Orders of the day and notices of motion in order that a particular motion on the Paper may be taken up. It is also stated in the Journals of the House of Commons, page 250, that it was—"Ordered, That the Orders of the day be postponed till after the three first notices of motion relative to East India." And on another occasion it was decided—"That the Orders of the day be postponed until after the notice of motion relative to the Conference of London." That also was a vote of censure on the Government, and if the motion had been carried the Government would have retired from the Ministerial benches. The honorable member for Dunedin City laid great stress on the fact that this notice occupies a very low place on the Order Paper. Well, the honorable member for Egmont wishes to move, "That, upon the first Order of the day being called on, all the Orders of the day and notices of motion be postponed until the House has disposed of the notice of motion 'That this House has now no confidence in the Government.'" That motion is, as nearly as possible, in the form of those which I have quoted from the Journals of the House of Commons. It is very peculiar that he should so exactly have hit the mark which his motion was intended to hit—it is singular that he has so worded his motion as to put it in the same position as motions which have been dealt with in the manner I have shown by the House of Commons. The honorable member for Dunedin City (Mr. Stout) says that the motion must be taken in the order in which it appears on the Paper. But, if we were to deal with notices of motion and Orders of the day in that manner, it would be competent for the Clerk to put them in the precise form which he thought fit; and then we should be bound by

*Mr. Whitaker*

his action. The fact is that it does not matter what position a motion occupies on the Order Paper. That is altogether a matter of no consequence. We must deal with the business in a way consistent with our own Standing Orders, and consistent also with the practice of the House of Commons. It appears to me that, according to our own Standing Orders and the Journals of the House of Commons, it is proper that the honorable member for Egmont should have an opportunity of bringing forward his no-confidence motion. We have a precedent of our own. On the 28th August, 1875, Sir Donald McLean moved, That the Orders of the day be postponed, in order to proceed with the discussion upon the motion for leave to introduce the Confiscated Lands Bill. In that case the Orders of the day were postponed, and therefore we have a precedent in our own Parliament. I believe there are others. That the Government have absolutely the power of putting on certain days Orders of the day where they like on the Paper is beyond question. They certainly can arrange the Orders of the day as they please, but the House has the power to say that it will not adopt their arrangement. As a matter of fact, the only power they have is to arrange the Order in which they will take the Government business on certain days, but they have not the power to force the House to take the business in the order in which they have arranged it. I do not think the House will venture to ignore their own Standing Orders and the practice of the House of Commons.

Mr. SHEEHAN.—Sir, there was a time, some years ago, when I rather prided myself on my knowledge of points of order, and I used occasionally to bring them up in this House; but since so many legal gentlemen have come into this Assembly my occupation has gone, and I have left other people to raise such points. But on this particular occasion I have taken some trouble in considering this point of Order, and I intend to put before the House the view which to my mind ought to be taken as to the position in which the matter now stands. I saw when this question was raised that there was mischief brewing. The honorable member for Wellington City (Mr. Travers), for instance—

Mr. TRAVERS.—I understand, Sir, that in discussing points of order honorable gentlemen should confine themselves strictly to those points of order. Matters of the kind referred to by the honorable gentleman have nothing to do with the point of order which has been raised. We are merely discussing a question as to the interpretation of our Standing Orders, and I do not think the honorable member is in order in making such observations as those he was just making.

Mr. SPEAKER.—The honorable gentleman is clearly not in order in so doing. I think the rule that the points of order only should be spoken to, when they have been raised, should be strictly adhered to.

Mr. SHEEHAN.—Sir, I submit to your ruling, of course, but I would remind you that the honorable gentleman who has called me to order may not have read the Standing Orders so as to understand them.

Mr. TRAVERS.—I never used words of that kind. I said that the Standing Orders should not be interpreted by the light of party. I did not refer to the honorable gentleman's side of the House any more than to this side.

Mr. SHEEHAN.—I think I have drawn a proper inference from what the honorable gentleman said. When the question was raised last night authorities were quoted by the honorable member for Egmont, and he brought forward a case which occurred in 1872, at a time when a want-of-confidence motion had been tabled by the honorable member for Timaru (Mr. Stafford), for the purpose of ousting the Vogel Ministry. He read from the Journals the order made to enable the motion to be taken. It was done by the consent of both sides of the House, and by arrangement. The honorable member knows that very well. The same thing can be done again in the same session. I was here, and the thing was done by the consent of both parties.

Major ATKINSON.—The honorable member for Timaru denied that there had been any arrangement.

Mr. SHEEHAN.—The honorable member for Timaru must be losing his recollection. The thing was done by arrangement, and by consent. I will refer shortly to one of the cases quoted by the honorable member for Waikato—the case of the Peace Preservation (Ireland) Bill, in the House of Commons. The order made was this: "Ordered, That all the Orders of the day be postponed in order to enable the Peace Preservation (Ireland) Bill to be now read a first time." That was a Government day, and it was a motion made by the Government to postpone their own Order, so as to deal with one of their own measures. It is an entirely different thing from the action of a private member who wants to bring forward a motion of his own. In every one of these cases referred to, the thing has been done by consent, and the best proof of that is this: that the honorable gentleman cannot show me a division taken upon any one of these matters. The thing has been done by consent. In the case to which the honorable member referred—a vote of censure upon the Government in the same House of Commons—no doubt the Government allowed the motion to be brought forward as it was practically a vote of want of confidence in themselves, and they did not go on with any other business; but I defy the honorable gentleman to show me a single division on these questions. If there is any doubt about it, I have before me the report of *Hansard* on the discussion which took place on the Peace Preservation Bill. It was a Government measure, and the motion to adjourn the Order of the day was proposed by a member of the Government, to enable them to bring in a Government Bill. I apprehend that we have the same right still. We could do so now. I have before me the report of the discussion that took place in the House of Commons upon a similar resolution and upon a similar Standing Order, by which it is shown that, so long as the Order was in force, we should comply with it, and prevent private business being brought in to intercept Government business

on Government days. Practically, our Standing Order is the same, word for word, with the Order of the House of Commons, and I contend that the construction put upon it by the House of Commons is the same construction that ought to be put upon it here. In the first place, I may say that I agree with what has been said by the honorable member for Wellington City (Mr. Travers)—that the House has the power of guiding its own business. No Ministry has the right to deprive the House of this power. These are functions which belong to the House. But what has the House done? It has made rules and regulations for the guidance of its own business, and when we call upon members on the opposite side to adhere to these regulations we are insisting upon the rights of the House. I will take a familiar case. Can you contend for a moment that a majority of the House would enable you to put a money Bill through without its first going through a Committee of the whole House? The Standing Order says that such a Bill must go through a Committee of the whole House. Can the House abnegate its functions and allow you to pass it without going into a Committee of the whole? Take another instance. Suppose a Bill went into Committee and there received material alterations, would it be possible to dispense with the regulation which requires that the report should be considered before the Bill could be passed through the House? It is by consent that the amendments reported are agreed to and the Bill passed during the same sitting. As I have said, a money Bill cannot go through this House except through the channel of a Committee of the whole. There is no limitation or reservation of this Standing Order, and it cannot be suspended except by a majority of two-thirds of the House. There is no limitation or reservation whatever: and the same rule applies to the question now under discussion. With the view of pushing on Government business, two days are specially set apart by the Standing Order for the consideration of Government business, and we cannot depart from that Standing Order without first of all taking the proper step of repealing or suspending it. I appeal to your own practice, Sir. It is quite true that Orders of the day may be postponed with the view of taking some particular subject, but it is only by consent of the House that the motion for their postponement is allowed to be put and carried. If that consent were not given, and it were required that the Orders of the day should be called on one by one, you would be bound to have them so called on. You, Sir, so ruled last session, when the question was raised, that the Orders of the day would have to be read one after the other. I apprehend that the honorable member for Egmont is in a strait. His notice of motion is at the bottom of the Orders of the day, and, until such time as they are called on one by one and dealt with, he has no right to ask you to allow him to bring on his motion. For instance, when the Order of the day for the further consideration of the Land Bill in Committee is called on, it is competent for him to move that it be postponed until some future



day. The House can deal with the Orders of the day as they are called on, and make any arrangement regarding them which it thinks proper; but I submit, with all confidence, that, looking at the Standing Order, it by no means gives the honorable member the right which he claims. If the honorable gentleman wishes to bring forward his resolution, he must bring it on in the usual way. I contend that it would be out of order for him to attempt to bring a motion forward by intercepting the business on the Paper. It must be quite evident that, if such a thing were allowed to be done, or if it could be done, it would be impossible to proceed with the public business. We are not speaking for ourselves in this matter, or from any consideration of how far it will affect us; but we are considering this position: that any Government placed on these benches may be prevented from day to day bringing forward their business if it could be held that a motion of this kind could be brought forward at once so as to intercept and suspend altogether the Government business. I contend that the motion is out of order. It cannot be brought forward until the Standing Orders are suspended or altered. And, even supposing you should rule that the motion is one that can be brought forward, I contend that it would be necessary for you to have each Order of the day called on separately, and put to the House, before you could call on the motion of the honorable member for Egmont.

**Mr. BALLANCE.**—As supplementing the observations made by the Hon. the Minister of Justice, I would call your attention, Sir, to a case stated in Todd, volume 2, page 323, where we have the following:—

"On April 30, 1868, when Mr. Gladstone brought in his resolutions for the disestablishment of the Irish Church, upon which he defeated the Government, fearing that Ministers would not allow him a proper opportunity for proceeding thereon, he gave notice that on the next Government day, at half-past four o'clock, he should move that the Standing Order above mentioned should be suspended, and the other Orders of the day be postponed until after the Order of the day for the Committee to consider his resolutions. But, as Mr. Disraeli undertook that ample opportunity for the discussion of this question should be afforded, the motion was not made."

This appears to me to be a case exactly in point. In the first place, Mr. Gladstone anticipated that the Government would not give him facilities for bringing on his motion. Then, in order to bring it on, he gave notice that he would move the suspension of the Standing Orders. Then, by arrangement, in the way the honorable gentleman has just contended, Mr. Disraeli, who was leader of the House of Commons, allowed Mr. Gladstone to bring on his motion. I think the case is one well deserving of your attention when considering this matter.

**Mr. LUSK.**—Although I have not taken any part in the discussion which has taken place upon the Standing Orders, I may be permitted to make a few observations which appear to me to bear upon the question that has been discussed

at so much length by members who are much better able to discuss it than I am. In listening to what has been urged on different sides of the House, and on looking down the Standing Orders, it appears to me they do not bear the construction which has been put upon them by the honorable member for Waikato and other honorable members who have spoken on the same side of the House. Standing Order 70 has been interpreted by the honorable member for Waikato in a peculiar way. It says, "Unless the House shall otherwise direct, Orders of the day for Tuesdays and Fridays are to be disposed of before the House will proceed upon any motions of which notice shall have been given." Now, it appears to me, and I think you will see upon investigation, that this Standing Order does not mean that the House shall, upon a certain day, make an Order; but that it is a general regulation as to the mode of carrying on the business of the House—that, unless the House shall, say to-day, come to a resolution that the Orders of the day and notices of motion are to be taken on a particular day, they shall be taken in the way laid down in the Standing Orders; because Standing Order 71 says,—

"When the House proceeds to the Orders of the day, on days on which Orders have precedence, and after the notices of motion have been disposed of on all other days, or on the House resuming at half after seven o'clock, as the case may be, Mr. Speaker is to direct the Clerk at the table to read the Orders of the day, without any question being put."

Now, if the House desired to depart from this rule, to release you, Sir, from this duty which is thrown upon you, it has only on a previous day to come to a resolution to suspend the Standing Order, or even on that day to suspend the Standing Order, and on a previous day to regulate the way in which the Order Paper shall be arranged, and thereby relieve you from the necessity of obeying Standing Order No. 71. With regard to what has been said at considerable length about the right of the Government to place business on the Order Paper, the Government's right is derived of course from the Standing Orders of this House, and it has been ruled that the Government's right simply means this: that they have a right to put the business on the Order Paper in a particular way, which right we, when we sit here, have the superior right to take away if we choose. But the first clause of section 72 seems to do away with that idea altogether, because it says that the Orders of the day are to be disposed of in the order in which they stand upon the Paper: that is to say, that anything said afterwards about the right reserved to Ministers of placing them in that order is merely supplementary to the other statement—namely, that, Ministers having once placed them in that order, then the Orders of the House can only be disposed of in the order in which they have just been placed; and therefore it does not at all interfere with the necessity of proceeding with the business in the order on the Paper—that it is merely indicated afterwards how the business on particular days shall get into

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the order in which it is found. I merely suggest these things, because it appeared to me, on hearing the argument that was used, that there was a misapprehension in the mind of the honorable member for Waikato and likewise in that of the honorable member for Wellington City (Mr. Travers) as to the real meaning of the Standing Order. On a question of legal interpretation, I might indeed bow at once to the superior experience of those gentlemen, but on a mere question of this kind I take it that no such experience is requisite to guide us to an interpretation of the Standing Order.

Major ATKINSON.—I only wish to say a few words with regard to the point raised by the honorable gentleman who has just sat down and also by the honorable member for Dunedin City (Mr. Stout), both of whom have given it as their opinion that it is clearly the duty of the Speaker to cause the Order of the day to be read immediately upon his taking the chair at half-past seven o'clock. During the many exciting times in 1875 there were two or three such cases. There was one in which you yourself, Sir, took part, and which arose upon a question of the present Premier, who desired to introduce a Bill into the House. The Government of the day opposed that, and the debate continued during the afternoon. At half-past seven o'clock, when the Orders of the day were called on—or, rather, before they were called on, apparently—Sir Donald McLean got up and moved the postponement of all the Orders of the day, with a view of continuing the discussion on the question of whether the honorable gentleman should have leave to introduce the Bill. A discussion arose thereon in which you, Sir, among others, took a leading part. The motion was opposed very strongly by the then Opposition, who, however, apparently from weakness, declined to divide upon it.

Mr. REES.—They agreed to it.

Major ATKINSON.—The House agreed to it, which is a very different thing. Honorable gentlemen will remember that the House was in an excited state at that time, and, as will be seen, a very unusual course was pursued by the Government announcing that they did not intend to permit the honorable gentleman to bring in the Bill. It is quite clear that the Opposition, had it been strong enough, would have divided the House upon the question of postponement. You, Sir, on that occasion, spoke very strongly against what you were pleased to say was a surprise put upon the House by the proposition to alter the ordinary course of business, and you were not a consenting party to the matter. I merely wish to point this out as showing that it has been the custom of this House to proceed to consider the question of whether it would postpone the Orders of the day. It is quite evident, from the tone of the debate that took place on the occasion to which I have referred, that the honorable gentlemen who took part in it were not consenting parties. The other point to which I wish to call attention is this: That Standing Order No. 70 clearly provides for this House disposing of the business. It only provides that the Orders of the day are to have

precedence on Tuesdays and Fridays unless the House shall otherwise order. Then we find, by the passage from May which I quoted yesterday, that Orders of the day can be postponed upon notice being given. Now, it is quite clear that that would be almost nugatory if it were necessary to give a week's notice of an intention to move the postponement of the Orders of the day, say, on Friday week. Of course nobody knows what we are going to do on that particular day. It is evident that the object of the notice is that the House shall not be taken by surprise; and therefore I contend that, the Orders of the day having precedence, and my having given notice, it is quite in accordance with our practice, and with that of the Imperial Parliament, that when the first Order is called on I should move the motion of which I have given notice.

Mr. MACANDREW.—As this question will to a great extent involve the conduct of Parliamentary business in the future, and as it will be exceedingly unfortunate if a mistake is made now in regard to it, I think it is very desirable, seeing that so many points have been raised on each side, and so many authorities quoted, that you should have time, Sir, to consider the various questions involved, and, with that view, I would suggest a short adjournment.

Mr. MONTGOMERY.—May I ask, Sir, if the Order of the day has been called on?

Mr. SPEAKER.—I intimated that the House could not proceed with the Orders of the day. That is the exact state in which we are. I will therefore, as suggested, resume the chair at half-past seven o'clock.

Mr. SPEAKER then left the chair.

HOUSE RESUMED.

Mr. SPEAKER resumed the chair at half-past seven o'clock.

Mr. HODGKINSON.—It is not my intention to go at any length into this question; but, on listening to the speeches which have been made, I thought there were one or two points which were not brought out, or at any rate not brought out fully, so as to have due consideration in the House. What struck me as a great omission was this: that, if the view advocated by the honorable member for Waikato and others on that side of the House should receive your sanction, the future condition of things would be somewhat like this: If it is ruled that a bare majority of the House can at any time set aside the arrangement made on the Order Paper, and bring forward matters for consideration superseding all other motions on the Paper, a tyrannical majority, or any majority, however small, would at any future time have the power to bring their own business to the front, and keep back altogether the business of the minority. That would be a very serious and great evil. For instance, I myself have several motions on the Order Paper which, in my opinion, are of considerable importance; but, if the argument of the honorable member for Waikato should prevail, it would be quite competent for a bare majority on that side of the House to keep my motions in abeyance until the end of the session, always bringing up

new matters to suit their convenience or views, to the great injury of other members and of the public. Now, to make a comparison; If we consider our Standing Orders to bear some relation to the Constitution of any country possessing a written Constitution, it is a very wise and safe precaution that no alteration should be made in the law without a vote of a two-thirds majority. I am under the impression that to suspend the Standing Orders requires the consent of two-thirds of the House. That is a great safeguard and protection against the tyranny of a small majority in this House over a minority, and I think it is a very strong argument for saying that no change should be made in the Order Paper without the suspension of the Standing Orders. I will only say, in conclusion, that, from what I gleaned from the arguments on both sides of the House, and my own study of the matter in all such cases as the one under consideration, when any change is made in the order of the business on the Order Paper one thing is absolutely necessary in order to effect that change—that is, consent. That is the very essence of the question. That matter of consent is required in every instance that the honorable member for Waikato has adduced. He has not been able to adduce a single instance in which a change was made against the wishes of a minority; therefore this matter of consent is essentially a part of the question.

Mr. ROLLESTON.—I would like to call attention to one case. It has been said by the last speaker that consent is necessary in all cases of change in the order of business. Now, I have a case before me in which the Orders of the day were postponed, which I would like to submit to you, Sir. On the 12th October last year, "Mr. Rees moved, and the question was proposed, That Orders of the day Nos. 13 to 19 inclusive, and Nos. 36 to 39 inclusive, be postponed, in order to proceed with Nos. 6, 9, 40, and 20 to 35 inclusive. And the question being put, the House divided, and the names were taken down as follows:—Ayes, 37; noes, 16. So it was resolved in the affirmative." From the experience I have had of precedents in this House I think they are decidedly in the direction of this motion of the honorable member for Egmont being taken. I think the strongest point of all is that of Standing Order No. 70, which says, "Unless the House shall otherwise direct, Orders of the day for Tuesdays and Fridays are to be disposed of before the House will proceed upon any motions of which notice shall have been given." That seems to me to decide the whole question.

Mr. JOYCE.—Sir, before you decide, I should like to make one remark from an entirely non-professional point of view. If it should be ruled that it is competent for the honorable member for Egmont to move his motion, it will do away with an error under which I have laboured up to the present time. I have always understood that it was an act of courtesy on the part of the Government to give way on a notice of motion of want of confidence. I was always under the impression that it was a concession on the part of the Government to cease the transaction of other

business in order to give the Opposition an opportunity for the discussion of their motion. If this motion can be submitted, I shall no longer labour under that error, because it will be very clear that there is no concession whatever in granting this privilege, inasmuch as it would be quite competent within twenty-four hours for the Opposition to take by force what has hitherto always been considered to be an act of courtesy. I desired to say this because, if your ruling is in favour of the motion being put, one error at all events will be cleared away from my mind.

Mr. SPEAKER.—I have been under great anxiety in regard to this question, and I must ask the House to extend to me a just and large consideration. I may observe that it is a very different question to have to interpret rules, and to interpret a practice according to the different spirit with which such interpretations are received. The ruling is not scanned and criticised in the same manner when there is an amount of agreement as upon an occasion when there is a considerable amount of temper in the House, and when "the pound of flesh" and that only is insisted on. I understand that that is precisely the position just now, and therefore it is an occasion on which I am justified in asking for the consideration of the House in deciding this difficult question, the difficulty of which I have endeavoured to meet to the best of my ability. I have referred to the several cases quoted of ordinary instances on which notices of motion and Orders of the day have been altered from the position in which they stood on the corrected Order Paper. In my opinion, the instances quoted by the honorable member for Wellington City (Mr. Travers) do not apply to the present case, because there was more or less of consent in the instances referred to. There was, indeed, a precedent quoted by the honorable member for Rangitikei (Mr. Ballance) which was very much more to the point, and which very much impressed my mind. It is the case in which Mr. Gladstone, in 1868, after he had obtained an adverse vote against the Government, being disappointed in a supposed arrangement by which a certain motion was to come on, gave notice that he would, on a certain day, move the suspension of Standing Orders with a view to the postponement of certain Orders of the day, in order to bring on a motion which he deemed of importance. Before I go further, let me deduce one conclusion from that case: If that proceeding could be taken and the motion could be made at all, that fact entirely disposes, in my mind, of all the objections made by the honorable member for Riverton and by the honorable member for Auckland City East, in which they pointed out that excessive Parliamentary inconvenience would arise from such a practice. I say that, if the practice has undoubtedly obtained which was pointed out in the case quoted by the honorable member for Rangitikei, then the whole question of inconvenience is disposed of; although, like many other privileges of Houses of Parliament, this particular privilege may be abused. The significant point in that case is the suspension of the Stand-

Mr. Hodgkinson

ing Orders. It will be observed that notice was given that it was the intention to alter the order of business, and, at the same time, notice was given that a motion would be made to suspend the Standing Orders in order that the motion for alteration of the order of business might be proceeded with. In regard to this point, I am very much influenced by the Standing Order of this House referred to by the honorable member for Avon just now, and previously by the honorable member for Waikato—namely, Standing Order 70: “Unless the House shall otherwise direct, Orders of the day for Tuesdays and Fridays are to be disposed of before the House will proceed upon any motions of which notice shall be given.” Now, unless I am to infer that the words, “unless the House shall otherwise direct,” are mere surplussage, I can arrive at no other conclusion than that the House has retained to itself, by the express insertion of these words, the power to make any alteration in the order of business, if it were thought fit, without proceeding to the necessity of suspending any Standing Order, because, if it were necessary to suspend the Standing Order, clearly these words would have no meaning, but would be entirely surplussage. At the same time, I am bound to point out that I have referred to the Standing Orders of the House of Commons, and, notwithstanding that the same words are there inserted in the Standing Order referring to the same subject, still Mr. Gladstone, on the occasion referred to, in 1868, did think proper to give notice that he would move that the Standing Orders should be suspended. Have we any other precedent of our own? I am bound to say that, generally, the practice, so far as my experience goes, has been loose in this respect in this House: still, we have a precedent, and I cannot altogether overlook it. It was referred to by the honorable member for Egmont this morning. The case occurred in 1873, and I have read the debate upon it. A motion was made by Sir Donald McLean in 1875 that the first Order of the day be postponed in order to proceed to a discussion on a motion to introduce a Bill. A discussion ensued, in which I myself, as has been pointed out, with others, took part, and we strenuously opposed that motion; and I observe that on that occasion I dwelt upon the question of surprise. The motion, however, was carried, and, although there was no division, there was just as much opposition as if there had been a division. I cannot, therefore, agree to the statement in which it was sought to be contended that in no case has there been any hostility, but that it has always been a question of concession. Then, as to the general argument which I understand is maintained that on Government days the Ministry have such absolute control over the business that no one can, except by their concession and their leave, alter the order of proceedings, and that the Ministry themselves must be the proposers of any such motion, I do not so read the privilege given by the Standing Orders and by the practice of Parliament to Ministers in respect of the days which are called Government days. I understand that on those days Ministers

have the privilege of arranging the business in the order in which they think fit to put it on the Paper. They might, no doubt, move the postponement of the Orders of the day after having regulated them on the corrected Order Paper, but they could not do so if objection were made, except by calling on the Orders one by one and so disposing of each on its merits. I come then to the general principle laid down in May, to which reference was made yesterday when I ruled upon the point submitted to me by the honorable member for Egmont; and I have been more impressed since on further reference to it, for not only do I find that notice is of essence, but that it applies not only to the prescribed order of the Orders of the day, but also to notices of motion, showing by the repetition of the words in each case that they did not accidentally occur but were of essence to such alteration. I will briefly read two passages which occur at pages 255 and 257 of the 1873 edition of May:—

“When it becomes necessary to disturb the appointed order of business, and to give precedence to some important subject of debate, a special order is made for that purpose. If it be desired to give priority to a notice of motion on any day on which Orders of the day are entitled to precedence, notice having previously been given, a motion is made that the Orders of the day be postponed until after such notice of motion.”

It is, therefore, clearly contemplated that that can be done upon notice being given, so far as relates to the postponement of the Orders of the day. Then, in the next page but one there is a rule laid down with regard to notices of motion:—

“When it is desired to resume an adjourned debate, or to give precedence to any other Order of the day, on a notice day, it is usual to induce members, who have notices on the Paper, voluntarily to postpone them; but when they decline to forego their privilege, or it is deemed right to interpose the authority of the House, notice having previously been given, an order is made that the notices of motions be postponed until after the particular Order of the day which it is desired to consider, or that such Order of the day have precedence of notices.”

So that, both with regard to the alteration of notices of motion and the alteration of the order of taking the Orders of the day, notice has previously to be given; and nothing occurs in either of these passages which would lead me to infer that it is necessary that the Standing Orders should be suspended for that purpose, but only that in all cases notice must be given. There is another point raised by the honorable member for Dunedin City (Mr. Stout), in which he pointed out that it will be impossible to get at this notice of motion—that, until after the Orders of the day have been dealt with, it could not be arrived at. That would be a fatal objection supposing this were what, for this purpose, might be described as an absolute and independent motion. I consider, however, that it is what may properly be termed a contingent or dependent motion. If it had been an absolute and

specific motion for Friday, the 9th of November, it could not have been called on; but it is a motion contingent upon the first Order of the day being called on. When, therefore, that event occurs, then is the period when the motion is ripe for being called on. I hope I have made myself clear in that respect. With regard to the whole question, it will be gathered that I consider this motion can be made, and is not out of order. Here, however, I am met with a great difficulty. The exact terms of this motion are, "upon the first Order of the day being called on." We will suppose that event to have arrived, and the first Order of the day to have been called on: that first Order of the day is "Land Bill—to be further considered in Committee." Now, when any Order of the day is called on by which any Bill has been ordered to be further considered in Committee, the rule is as clear as possible that the Speaker leaves the chair without question being put. Absolutely, I do not see how it is possible that this question can be put, on account of that obstacle. If it had been an ordinary question in regard to which the rule did not peremptorily require that I should leave the chair without question being put, I am clearly of opinion, for the reasons I have adduced, that, so long as notice had been given and therefore there was no surprise, it would be competent for any member to challenge the order of business, even on Government days, as prescribed by the Government, just as much as it would be for the Government themselves to make any motion in that respect. I do not, however, see how this motion, worded as it is, can possibly be put. If there had been any other Order of the day excepting one subject to such conditions as those attached to the first Order of the day to-day, I should decide that the motion of the honorable member for Egmont could be put, and should feel confident that my ruling was consonant with the spirit of the usage and practice of Parliament. There is just this question I should bring under the notice of the House: When I was about to call on the first Order of the day, I remembered, and my attention was also drawn to it, that it was alleged that the practice of my predecessor in office had been to permit the interval before calling on the Orders of the day, when the time had arrived for them to be called on, to be taken advantage of to make any motion. I informed the House to-day that I really could not see the reason of that, and I am still in the same state of mind; but, this being a case in which I am bound to deliver the "pound of flesh," I am constrained to rule that this contingent motion cannot be put, because when the first Order of the day is called on—that the Land Bill be further considered in Committee—I am bound to leave the chair without any question being put.

#### LAND BILL.

This Bill was further considered in Committee. Clause 73.—Application of proceeds of land sold. Subsection 3: "The surplus, after deducting twenty-five per centum as damages for breach of license, to the selector."

Mr. MURRAY proposed the insertion of the  
*Mr. Speaker*

words "such sum not exceeding," before the words "twenty-five per centum."

Question put, "That the words proposed to be inserted be so inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	21
Noes	...	...	...	...	42
Majority against	...	...	...	...	21

#### AYES.

Mr. Baigent,	Mr. Manders,
Mr. Barb,	Mr. Montgomery,
Mr. J. C. Brown,	Mr. Pyke,
Mr. Bryce,	Mr. Rees,
Mr. Bunney,	Mr. Seaton,
Mr. Dignan,	Mr. Taiaroa,
Mr. Gisborne,	Mr. Tole,
Mr. Hislop,	Mr. Woolcock.
Mr. Kennedy,	<i>Tellers.</i>
Mr. Larnach,	Mr. De Lautour,
Mr. Lusk,	Mr. Murray.

#### NOES.

Major Atkinson,	Mr. Reid,
Mr. Ballance,	Mr. Reynolds,
Mr. Beetham,	Mr. Richardson,
Mr. Bowen,	Mr. Richmond,
Mr. Burns,	Mr. Rolleston,
Mr. Curtis,	Captain Russell,
Mr. Fisher,	Mr. Seymour,
Mr. Gibbs,	Mr. Sharp,
Mr. Hamlin,	Mr. Sheehan,
Mr. Hursthouse,	Mr. Stafford,
Dr. Henry,	Mr. Stevens,
Mr. Hunter,	Mr. Sutton,
Mr. Hursthouse,	Mr. Swanson,
Mr. Johnston,	Mr. Techemaker,
Mr. Joyce,	Mr. Thomson,
Mr. Kelly,	Mr. Whitaker,
Mr. Lumsden,	Mr. Williams,
Mr. Macfarlane,	Mr. W. Wood.
Mr. McLean,	<i>Tellers.</i>
Captain Morris,	Mr. Hodgkinson,
Mr. Murray-Aynsley,	Mr. Stout.
Mr. Ormond,	

The amendment was consequently negatived.

Clause 83.—Disqualifications.

Mr. STOUT moved, That the following words be added to the clause: "No person who shall be the owner in fee of two thousand acres, or who shall, during the currency of the license mentioned in section eighty-six, become the owner in fee of two thousand acres, shall be allowed to purchase any area of land that, together with the land he owns, shall exceed in acreage five thousand acres."

Question put, "That the words proposed to be added to the clause be there added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	20
Noes	...	...	...	...	27
Majority against	...	...	...	...	7

## AYES.

Mr. Baigent,	Mr. Rees,
Mr. Barff,	Captain Russell,
Mr. J. C. Brown,	Mr. Seaton,
Mr. Fisher,	Mr. Thomson,
Mr. Hodgkinson,	Mr. Tole,
Mr. Joyce,	Mr. W. Wood,
Mr. Kelly,	Mr. Woolcock.
Mr. Larnach,	
Mr. Lumsden,	<i>Tellers.</i>
Mr. Montgomery,	Mr. De Lantour,
Mr. Murray,	Mr. Stout.

## NOES.

Major Atkinson,	Mr. Murray-Aynsley,
Mr. Beetham,	Mr. Reid,
Mr. Bowen,	Mr. Richardson,
Mr. Burns,	Mr. Rolleston,
Mr. Fitzroy,	Mr. Rowe,
Mr. Gibbe,	Mr. Seymour,
Dr. Henry,	Mr. Sheehan,
Mr. Hunter,	Mr. Swanson,
Mr. Hursthouse,	Mr. Taiaroa,
Mr. Johnston,	Mr. Teschemaker,
Mr. Manders,	Mr. Whitaker.
Mr. McLean,	<i>Tellers.</i>
Mr. Moorhouse,	Mr. Harper,
Captain Morris,	Mr. Reynolds.

The amendment was consequently negatived.

Progress was reported, and leave given to sit again.

The House adjourned at a quarter to one o'clock a.m.

## LEGISLATIVE COUNCIL.

Monday, 12th November, 1877.

First Reading—Third Reading—Railway Reserves—Bluff Harbour Bill—Adjournment—Bluff Harbour Bill—Patea Harbour Board Bill—Riverton Harbour Bill—Dunedin Loans Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

## PRAYERS.

## FIRST READING.

Onehunga Endowments Bill.

## THIRD READING.

Auckland College and Grammar School Bill.

## RAILWAY RESERVES.

The Hon. Sir F. DILLON BELL wished to ask a question without notice. From the ordinary sources of information honorable members had learnt that the Executive Government had, in the Province of Otago, made a large reserve of waste lands for the purpose, apparently, of constructing a railway at Tapanui, and the Waste Lands Board of that district had marked off the reserve. It appeared to him that it was probably through inadvertence on the part of the Government that so large a reserve had been made without affording any information to the Council; and he thought also that probably his honorable friend the Colonial Secretary would think it

right that the opinion of the Council should be asked on reservations of that kind. Since that time he noticed, from the ordinary sources of information and from the Order Paper of the other House, that other large reserves were being contemplated to be made. The question he wished to ask the Government was, Did the Government consider it was sufficient for the purpose of making large reserves for railway purposes that a resolution should be passed in the House of Representatives without the information or knowledge of the other branch of the Legislature? He also wished to know if the honorable and gallant gentleman would be kind enough to tell the Council under what authority of law these reserves had been or were contemplated to be made. It appeared to him that the only reserving power of a general character which at present existed in regard to railways was that afforded to the Executive Government by section 20 of the Public Works Act of last year. That Act repealed a number of Acts previously in force, and provided generally for matters relating to railways and public works; and the 20th section of that Act said, "The Governor may, by Proclamation, from time to time reserve such parts of the waste lands of the Crown as he thinks fit for railways, roads, bridges, ferries, or for any other public works constructed under the authority of this Act." Were the reserves which had been made, and which were contemplated to be made, upon resolution of the other branch of the Legislature, made under the authority of this section, or, if not under this section, then under what authority of law?

The Hon. Colonel WHITMOKE replied that no such reserve had been made on a simple resolution of the other House. A resolution of either branch of the Legislature was an indication of the wish of that branch of the Legislature, and the Government would give their best attention to such resolutions, and would carry them out when they appeared to be practicable and lawful. Therefore, though a resolution had been passed in another branch of the Legislature to reserve certain lands, it by no means followed that the Government would make any such reserve whatever. However, he did not seek to evade the question by that answer, and would state that the Government were of opinion that in certain cases it was in their power to make temporary reserves until they were legalized by Act. There were many cases in which that course had been followed. The honorable gentleman would at once admit that such reserves for railways made under the Public Works Act of last year were legal. He was also aware that for many other purposes mentioned in the 12th clause of "The Waste Lands Act, 1858," the Governor had that power; and, according to Waste Lands Acts in the various provinces, differing in each, the Governor had power to make reserves under various limitations. He was given to understand that a reservation of 500,000 acres had been thus made on the West Coast, and he was also given to understand that, according to "The Otago Waste Lands Act, 1872," reserves could be made of a specific character on the recommendation to the Superintendent of the Provincial Council. There-

fore it by no means followed that, even if the actual power to make reserves did not exist in some parts of the colony, it did not exist in other parts. At all events, the Government would not act illegally in what it did. Furthermore, it did not follow that, although it might be legal, the Government would think it wise. They had by no means made up their minds as to the course they would take in regard to this particular railway when the question of making a permanent reserve came up. What was recommended was only a provisional reserve, until a certain survey was made.

#### BLUFF HARBOUR BILL.

The Hon. Mr. MENZIES, in moving the second reading of this Bill, said the Council would remember that during last session a Bill passed through both branches of the Legislature under the same title as this. The objects of that Bill were threefold. It proposed to establish a Harbour Board at the Bluff; to give that Board an endowment of pastoral land in a central district; and also to give certain borrowing powers to the Board. On the occasion of the second reading of that Bill, it became clear that the Council would not grant the borrowing powers, but it was hoped that the endowments would be given. Unfortunately, although the Bill with the endowment clauses passed its second reading, yet, by a chance vote at the eleventh hour, those clauses were struck out. He thought it was rather done by accident than anything else, or with the intention of adhering to the same plan of action in regard to other Harbour Bills which came suddenly in great numbers before the Council towards the close of the session. If all the Harbour Board Bills had been dealt with in the same manner as this one, he would have had no occasion to consider that the Bluff had not been dealt with fairly; but that was not the case. In many cases endowments and borrowing powers were given. The object of the Bill now before the Council was to give the power which was then refused to this Board, and he thought the Council would have such a sense of justice, and of the propriety of taking this action, as would induce it to concur in the proposal he was about to make. The Council would remember that he pointed out the special reasons why the Harbour Board should not only be constituted, but why it should also have funds placed at its disposal to enable it to carry out the improvements that were indispensable in order to give the necessary accommodation for the shipping, which from year to year had been practically increasing. When the Bill was under consideration last year he expressed his views in detail regarding it. The object of the present Bill was to set aside a reserve of 36,000 acres of land, some sixty or seventy miles in the interior, and to give the Board the power to borrow £50,000. He stated last year, when the Bill was first brought under the consideration of the Council, that both the Provincial Government and the General Government had objected to have any agricultural land included in the endowment. The endowment last session was exclusively pastoral land.

*Hon. Colonel Whitmore*

The tract proposed to be given now was almost the same pastoral land which it was proposed last year to give as an endowment. He had already pointed out that the trade of the place was fast increasing, and at the present time he would only say that, on taking the average for the last five years, the port had stood fifth in respect of the shipping both inwards and outwards. With respect to the imports it had stood seventh, and in regard to the exports it had stood sixth, of all the ports in the colony. As far as the Customs duties were concerned, it had for three years out of five been ninth, and in two of those years it had been eighth. The increase of the trade might be gathered from the largely-increased exports. He found that in 1866 the export of wool was £79,000 in round numbers, while in 1867 it was £105,209. In 1871 it was £127,000, and in 1874 it was £235,294. The export of grain rose from the value of £40 in 1867 to £3,877 in 1871, and £3,887 in 1874. The construction of railways had given an immense stimulus to agriculture. The returns of wheat and oats were above the average of any other district either in the South or in the North, with one single exception. There was one district in the South where the returns had been larger. Besides the increased stimulus to production, and the great increase to the export trade, the import trade would augment enormously on the completion of the railway line to Dunedin. There could be no doubt that, the Bluff being the first port of call from Australia and the last on the departure from New Zealand, many classes of goods of light weight and high value would be landed there and sent northwards, especially seeing that there were only two links now wanting to complete the chain of railway communication between the Bluff and the northern corners of Canterbury. Having recently conversed with the captain of one of the largest steamers trading on the coast, one who had large experience of such matters, he had asked that gentleman to give him his opinion as to the character of the Bluff Harbour, and the probability of the trade increasing within a few years; and Captain Underwood, of the "Arawata"—

#### ADJOURNMENT.

The Hon. the SPEAKER.—Since the honorable member began his speech, I have heard that the other branch of the Legislature has adjourned until half-past seven o'clock this evening, as a mark of their regard for a gentleman who for many years was a member of the General Assembly. I think, under all the circumstances, it would be a token of respect if the Council were to adopt the same course.

The Hon. Colonel WHITMORE.—I am aware that the Government were asked to propose the adjournment of the House until this evening, and, as all sides of the House were so disposed, they consented to do so. I intended to move to the effect that the Council should adjourn; but I wished to get through as much work as possible before doing so. However, as I understand the funeral is just starting, I think the Council should now adjourn.

The Hon. the SPEAKER.—I will resume the chair at half-past seven o'clock.

#### COUNCIL RESUMED.

The Hon. the SPEAKER resumed the chair at half-past seven o'clock.

#### BLUFF HARBOUR BILL.

The Hon. Mr. MENZIES said that when the Council adjourned he was pointing out that, as the railway extended northward for about ninety miles, although the line was not yet completed, and eastward for about seventy miles, where it was not yet connected with the line from Dunedin, the country gradually came into occupation, and the produce was very largely increased. He referred to the large increase in the export of wool, grain, and other products of very considerable magnitude. In the year 1875-76 something like six and a half million feet of timber were exported. There were, likewise, other industries which had already increased and would in the future still more swell the exports—such, for instance, as preserved meats. A very large quantity of preserved meats had been exported from the Bluff. Except during the last autumn, the works had been suspended for two or three years past, seeing that the prices of fat cattle did not admit of preserved meat being sent Home with a profit. Besides this, a paper manufactory had been prospering very well, and a considerable quantity of paper had been produced. Limestone was abundant, and he had no doubt that lime would become an important article of export. Building stone of the very best quality was found close by the northern line of railway. In fact, at the present moment a quantity of stone was being brought down, for building purposes, and for kerbing the streets of Invercargill, from a quarry alongside the railway. The peculiar position of the Bluff, the facilities for conveying produce to it and exports from it, and its favourable position as regarded Australia, must all render it a port of the first importance, much higher than it stood at present, although it ranked fifth in New Zealand. He was about to observe, when the adjournment took place, that, in response to a request, Captain Underwood, a good authority as a nautical man, who had traded for many years between Australia and New Zealand in command of steamers, had written to him in the following terms:—

“Having traded to Bluff Harbour in various steamers for a number of years, and watched the rapidly-developing commerce of the port, the increase in number and size of ships loading and discharging there each year, and continually experiencing delay and inconvenience from the scanty wharf accommodation, which for years has been quite inadequate to the requirements of the port, necessitating ships lying two deep and working their cargoes over each other's decks, it becomes very necessary that further jetty extension should be made without delay to meet the requirements of the rapidly-increasing trade of the port.

“Bluff Harbour, being a good safe port, easy of access to the largest ships, and from its geo-

graphical position having greater advantages than any other port in New Zealand, through its proximity to Australia and Tasmania, the first port to ships from the westward, and from its railway connection with the north and its natural advantages, is destined soon to become the Plymouth of the colony, being capable, by improvement, of affording the best and safest accommodation for vessels of the largest class.

“Having perused with much interest the able and thoroughly practical report by Mr. W. Brunton, C.E., on Bluff Harbour, its natural advantages and proposed improvements, which, if carried out, cannot fail to make the Bluff one of the many excellent ports of which New Zealand may justly feel proud, . . .”

What was wanted in this case was not, as in many other cases, an endowment to make a harbour, but an endowment to provide that accommodation which the rapidly-increasing trade of the port required in a harbour which Nature had already made.

The Hon. Colonel WHITMORE had only to say that he had perfect confidence in that body which would have the examination of this Bill, and he hoped honorable gentlemen would read it a second time, in order that it might be remitted to the Waste Lands Committee, where sufficient information would be taken on the subject; and they would be in a position to give an intelligent opinion when they received the report of that Committee. All that the honorable gentleman had told them was very interesting in itself, and would receive great attention in Committee. It was quite possible, however, that, while everything the honorable gentleman had stated might be fact, still, without prejudice to the opinion of those who advocated this measure, it might not be considered desirable to make a large reservation of public lands to endow this harbour. The Council refused it last year upon good grounds, and it was quite possible it might take the same course again. He quite indorsed all the honorable gentleman said about the harbour itself. He had seen it, and knew it to be a very valuable harbour to New Zealand; and if the Committee, after examining the circumstances, should recommend that it be done, he should be very glad to see some steps taken towards improving it.

Bill read a second time.

#### PATEA HARBOUR BOARD BILL.

The Hon. Dr. POLLEN, in moving the second reading of this Bill, said it was introduced into the House of Representatives by the Hon. Major Atkinson, who had requested him to take charge of it in the Council. Honorable gentlemen would remember that last year there was an Act passed called the Patea Harbour Board Act, which provided for the administration of the harbour and also supplied a modest endowment of land—in all, a little more than 3,000 acres—for the use of the port. The object of the present Bill was to correct an error in the appropriation of the land which was made for the harbour, to make an alteration in the constitution of the Board, and to provide for granting an additional endow-



ment of some 200 or 300 acres forming the foreshore of the Patea River and of the beach at the approaches to it. In the schedule to the Act of last year there was included a section numbered 568, containing 300 acres of land. After the Act was passed, and when proceedings were instituted for the transfer of this land, it was discovered that that particular piece of land had already been granted, and was private property. It was proposed by this Bill to release that land—to amend the schedule by leaving out that block and substituting other blocks of land containing exactly the same quantity—namely, 300 acres. It appeared, also, that two other blocks of land, numbered 320 and 565 in the schedule of the Act of last year, were erroneously described as to their boundaries and as to the quantity contained in them. It was proposed by this Bill to make that correction, and to define anew these two blocks that were proposed to be set apart last year. The Patea Harbour Board, as constituted by the Act of last year, consisted of two persons appointed by the Governor, the Mayor of the Town of Patea, the Chairman of the County Council, and two persons elected by the governing body, which was interpreted to be the Patea Borough Council or the Highway Board, whichever was in existence at the time. The alteration proposed to be made by the Bill was that one person should be appointed by the Governor, two persons elected by the governing body, one person by the County Council of Patea, and one person elected by the ratepayers of each of the ridings in the County of Patea. The former members were elected for two years, and the time for the election was fixed for the second Monday in January. The 3rd clause of this Bill proposed that the members should be elected for one year only, and that the time of the election should be the second Monday in the month of February. After the large endowments proposed to be given in the Bill, the principle of which the Council had just affirmed by allowing it to be read a second time, he was almost ashamed, on behalf of such an important district as Patea, to be obliged to ask for such a very small quantity of land as was contained in the schedule to this Bill—namely, not more than 200 or 300 acres. The lands proposed to be granted were portions of the foreshore of the river and of the beach at the entrance to the harbour, which might be reclaimed by the works the Board would be authorized to carry on. He thought there could be no objection to the Bill being read a second time.

The Hon. Colonel WHITMORE said there were some objections on the part of the inhabitants to the proposed composition of the Board. The county was hardly satisfied to have a voice in the election only of two members. It must be borne in mind that the Town of Patea was very small indeed, while the district was a very large one, and it seemed to be looked upon as rather a hardship that two persons should be elected by the governing body, which was defined by the Act of last year as being the Town Board of Carlyle, or, in the event of Carlyle being constituted a borough, the Mayor and Council of the borough.

*Hon. Dr. Pollen*

The Borough of Carlyle was an exceedingly small affair, and it would practically have an equal voice with the whole of the large district embraced in the County of Patea. In Committee he should endeavour to restore the balance in this respect by an amendment; but that was the only objection he would make to the Bill, for, if it were possible to make a harbour, or to improve the harbour, at Patea, so as to admit of any shipping for so small a sacrifice of the public estate as they were here called upon to make, he would be very glad to see it done. He only hoped that it was feasible and possible, but, from his own recollection, it did not look a very easy matter. However, it would be an unmixt blessing to the whole of that coast if they could get a place which would afford accommodation for vessels drawing even six or seven feet of water.

Bill read a second time.

#### RIVERTON HARBOUR BILL.

The Hon. Mr. MENZIES, in moving the second reading of this Bill, said he did not wish to go over the same ground as he had traversed in connection with the Bluff Harbour Bill, and he would very shortly recapitulate the leading points. There was at present a very useful harbour at Riverton for vessels of 150 tons and under, but there was a lack of proper jetty accommodation, which had especially been felt during the last two years since a bridge had been erected across a narrow part of the estuary over which it was intended to take the Orepuki Railway. The bridge extended from near the point from whence the old jetty started, and the jetty had become rickety and useless, and, by way of giving accommodation to the shipping, a projection over the bridge had been constructed running down the stream, and at right angles with the bridge, which made it very inconvenient for vessels entering the harbour. It was hoped that better accommodation might be easily obtained by running a jetty along the side of the channel, and that larger vessels might be admitted by extending a sea-wall along one side of the mouth of the estuary. The harbour was a bar harbour. The channel was winding; and consequently, with a strong south-east wind, there was some little difficulty in entering if there happened to be a heavy swell on. But, by running a sea-wall for some little distance across the channel straight out, it was expected by an engineer who was consulted on the subject that the scour would keep a deeper and direct channel always open, and so admit the entrance of larger vessels. The country of which Riverton was the outlet was very rich agricultural country. There was a considerable extent of it, and the land was very fertile. He found, on reference to the shipping returns, that, in 1875, 95 vessels entered Riverton, and 100 cleared, the total tonnage being 17,500 tons; and, in 1876, 95 entered and 98 cleared. The Customs revenue from 1870 to 1876 averaged £5,477. A very large quantity of grain was exported from Riverton. The main object now desired was to run a sea-wall out in order to straighten the channel, and thereby produce a scour which would deepen it

so as to admit larger vessels, and, what was of still more immediate importance, to provide proper wharfrage accommodation for the vessels that now visited the harbour. With that object, it was proposed by this Bill that the Harbour Board should receive an endowment of 15,000 acres of pastoral land, and be authorized to borrow not more than £20,000 upon the security of this land and the wharfrage rates and dues. He begged to move the second reading of the Bill.

The Hon. Colonel WHITMORE said that honorable gentlemen in considering this Bill would doubtless give some thought to the circumstances of the part of the country to which it referred. For his part, he waited to be assured that it was the outlet of a large trade, and afforded convenience to a considerable number of settlers. He hoped the honorable gentleman in charge of the Bill would satisfy his mind on that subject. What he did know about this matter, and what he had ascertained during the last few days, was that the colony had already given three railways to Riverton. There was one railway which united it with the Otago system; there was one that ran inland; and there was the third into the bush country—all converging upon the Port of Riverton. Already, without the least difficulty, vessels up to 100 tons could enter the harbour, and vessels of that tonnage were by no means very small vessels. He had read the scheme by which it was proposed to improve this harbour, and he read that, after certain operations had been carried out, there was a possibility of a greater depth of from 2 ft. to 2 ft. 6 in. being obtained. But it was pointed out that if that operation did take place the waves were likely to be so much higher as to diminish a great deal the advantage to be gained from the extra depth. The district which was proposed to be benefited by this allocation of public land was a district that they were told was an exceedingly rich one. He would like to have been assured that they would be likely to increase the growth of grain by giving it a Harbour Board; and to have been told that the enormous railway facilities already given at the expense of the colony to this small place did not sufficiently provide for the carrying away of the grain. He was quite aware that, unless the charges for carriage were moderate, grain-growing could not be carried on with profit. He had hoped that the honorable gentleman would have told them that by giving a direct sea traffic a very much larger area of grain country would have been brought under cultivation. These considerations had been impressed on his mind since he had first been made aware that such a Bill was to be brought into the Council; but, knowing that Bills of this kind must pass through the customary ordeal, and being quite unacquainted with the kind of statistics he wished to obtain to influence his mind on the subject, he would be content to await the report of the Committee before he offered the Bill any opposition. If the Waste Lands Committee reported favourably upon the Bill, he apprehended that, inasmuch as they had passed the Wanganui Harbour Bill the other day, they could not very well refuse their

assent to this measure. The Wanganui Harbour Bill, honorable members would recollect, affected 15,000 persons, who occupied a large district that was likely to be made more productive by the existence of a harbour. There were points on which he would like to have information, because this year there was evidently not the same disposition to refuse endowments as there was last year. Still, if they came to cases in which they were manifestly throwing away endowments—manifestly giving endowments to a place not having a full claim—he would, just as he did last year, oppose them.

The Hon. Mr. NURSE could relieve the honorable gentleman's mind on one or two points he had mentioned. The honorable gentleman had spoken as any person might do who had not lived in the neighbourhood, and had taken a great many things for granted. For instance, he said there were three railways converging on Riverton. He could assure the honorable gentleman that there were no railways there at all. They existed on paper, and were very nearly paid for, but they were not there in reality, nor were they likely to be there for a considerable time. One of them led westward to Orepuki. He believed that there was no intention to go on with that line at present, and there was considerable opposition to the railway leading into the interior—to the Otatau. That leading to Invercargill was the only one being proceeded with, and that would not relieve the grain traffic of Riverton. The principal production of that part of the country was oats, and the principal market was not in the colony; consequently the grain had to be carried principally in small vessels from Riverton to Melbourne. A few years ago there was a considerable trade, but this of late had fallen off owing to the Victorian tariff. The profit on oats left a very small margin, and, unless the port was improved, the growth of grain would be impeded. He did not think it was likely to increase very much on account of the railways, from the fact that the margin of profit was so small that it could not bear the carriage. The district was not likely to be brought into much more cultivation, because nearly the whole of it was now under cultivation in grain or grass. He would like to see alterations made in the Bill in Committee, in order to prevent the money to be borrowed from being thrown away; and, indeed, the Council ought to have some plan or scheme before them, as in the case of the Bluff Harbour. That the harbour was capable of improvement, and that it was the outlet of a very large agricultural district, were facts that honorable members could ascertain for themselves by reference to the report of Mr. Carruthers in 1875.

The Hon. Dr. POLLEN said, remembering the pronounced opinions on the same question which the Hon. Colonel Whitmore held last year, when on the opposite side of the House, he was not without sympathy for the honorable gentleman as regarded the difficulty in which he now found himself. He was not unwilling that the Waste Lands Committee should give the help which the honorable gentleman expected to receive from it in extricating him from the dilemma in which he necessarily was; but he would like the Council to

instruct the Waste Lands Committee definitely as to what was really referred to them, or what they were expected to do on this occasion with respect to this Bill and to others of a cognate character. As he understood the meaning of the Standing Order, it was that, wherever a Bill dealt with waste lands and a description of the land was given in the schedule, the function of the Waste Lands Committee, technically, was to see that the description of the land proposed to be given was correct, and that, in other respects, the Bill in its details was accurate. He did not know at all that it was proposed to impose upon the Waste Lands Committee the duty of pronouncing upon the policy of making large endowments of the public estate for such works as were proposed to be carried on by this Bill. That, he thought, was the duty of the Council itself, and its opinion upon the subject of policy was supposed to be declared when it allowed a Bill to be read a second time. He had no doubt that, if the Waste Lands Committee were instructed to consider and report upon the policy of this and other appropriations of the public estate which were proposed to be made, they would not shrink from the discharge of that duty; but, without a positive and direct instruction, it would seem to be almost an impertinence for the Waste Lands Committee, its functions being limited and defined in the way he had pointed out, to raise the question of the policy of making large appropriations of the public estate for such works as these. The whole situation, to his mind, was becoming very alarming. The Council was asked a short time ago to dispose of 35,000 acres for the use of the Bluff Harbour. Honorable members were now asked to dispose of 15,000 acres for the use of Riverton, and would be asked presently to dispose of 400,000 acres of the public estate for some other purpose. He wanted to know whether or not the Committee was to formulate an opinion for the Council on the policy of such immense alienations of the public estate, or whether the Council had not the courage of its opinions upon that question, and was afraid to express a sentiment which was very general in the Council as to the impropriety, under the present circumstances of the colony, of making such a disposition of the public estate. He would very much rather have heard from his honorable and gallant friend a more pronounced view of the purpose and wishes of the Government he represented with respect to these endowments. He would greatly prefer that the honorable gentleman should have led the Council to express its opinion at once and without fear on the policy of these proposals, rather than that he should shelter himself, as he proposed to do, behind the Waste Lands Committee, in the hope that that Committee, without instructions, might undertake a duty which did not belong to it. To the Council it belonged to express its sentiments upon the policy of this measure.

The Hon. Sir F. DILLON BELL thought that the remarks that had fallen from the Hon. Dr. Pollen deserved the attention of the Council. It was curious that honorable members should be left in this matter without an expression of opinion

*Hon. Dr. Pollen*

on the part of the Government as to the propriety of the proposals contained in the present measure and others which had been before the Council. His honorable and gallant friend would surely allow that there was a vast difference between a proposal to build harbour works at the Bluff—one of the finest harbours in the colony—upon a plan which had received the most careful examination, and which included the reclamation of land that would be of considerable value at the terminus of the railway system of the southern part of the Middle Island, and a proposal for the expenditure of money upon a harbour at Riverton, which expenditure must, even if the plan were successful, have a prejudicial effect upon the revenue of the railway which would connect Riverton with the Bluff. They were being overwhelmed with proposals which appeared to him to be purely of a speculative character, without any evidence of system or of a well-considered plan. When the Hon. Mr. Hall brought forward a proposal to endow the Wanganui Harbour and to make further provision for the port there, the honorable gentleman laid before the Council very full information as to the necessity of the endowment as well as the means for carrying on the work. Thereupon the Hon. Dr. Pollen proposed to make an additional endowment for the Patea Harbour, which would have the effect of reducing the harbour dues and the value of the Wanganui Harbour. In this country, in fact, no sooner was it decided to do some public work in some centre where there was no doubt of its value, than immediately proposals of a similar sort sprang up from another district adjoining, based on the sole proposition that, if district A got money to be spent, district B should have some too. That was exactly the position of the Riverton Harbour in relation to the Bluff Harbour. The Hon. the Colonial Secretary now said to the Council, "Let us send these Bills to the Waste Lands Committee, and when the Waste Lands Committee goes through them I will tell you what the Government thinks of them." Would the honorable gentleman give the Waste Lands Committee the benefit of his presence and advice; and would he promise that, when the Committee reported, he would announce the opinion of the Government, so as to guide the Council? He (Sir F. Dillon Bell) might be allowed to suggest that it was hardly fair to send these Bills to a Committee consisting of members who were promoting one or other of these Bills. For instance, his honorable friend Mr. Menzies promoted the Bluff and Riverton Harbour Bills; he himself was the promoter of the New Plymouth Harbour Bill; his honorable friend Dr. Pollen was the promoter of the Patea Harbour Bill.

The Hon. Dr. POLLEN had not that honor. He was merely acting as agent.

The Hon. Sir F. DILLON BELL could not understand an honorable gentleman who had held the position of Colonial Secretary getting up and saying that he repudiated the promotion of a Bill which he had just asked the Council to agree to, and that he only acted as "agent." Then, again, another member of the Waste Lands Committee promoted the Wanganui Harbour

Bill. It was hardly fair for the honorable and gallant gentleman to say to the promoters of these Bills, "You are all on the Waste Lands Committee, and when your report comes back I shall make up my mind." He hoped the honorable gentleman would excuse him for saying that the Council did not want to know what his opinion as a private member was, except for the valuable assistance he gave to the Council, and the ability he always brought to bear upon the examination of any subject. While that honorable gentleman sat on those benches, what the Council wanted to know was the opinion of the Government. The importance of this question was growing every day. He would not now go into the bearing these proposals had on our financial position, but would content himself with asking one question. They knew from the Financial Statement that the land revenue within the last few years had been charged with as much as it could possibly bear. They were now asked to lay aside a very large area of Crown lands in reserves, which must very largely affect the saleable amount of land, and therefore the receipt of land revenue. Now, if all these reserves were made, how did the honorable and gallant gentleman propose that the land revenue should be kept up, and the engagements of the country met?

The Hon. Captain FRASER said the Council must not forget that if it passed the second reading it accepted the principle of the Bill. He was not himself prepared to do that. He was perfectly satisfied that this endowment was not required. The honorable gentleman in charge of the Bill talked of a sea-wall to increase the scour and deepen the bar. Now, there was an honorable gentleman in the Council who had lived twenty years in the district, and who assured him that the bar had never been deeper or shallower than at present, which was a certain proof that there was a reef across it. So it would be useless to attempt to deepen it; and the money spent upon a sea-wall, which was proposed to be built at very great expense, would be actually thrown away. All that was required at Riverton was a small jetty which would allow two or three small craft to lie alongside, and which could be put up for £1,000. Therefore he could not accept the principle of the Bill, and would vote against the second reading. The Hon. Sir F. Dillon Bell had shown the rather curious position in which the Council were placed in referring Harbour Bills to a Committee of Harbour Bill promoters. He thought the good sense of the Council was quite sufficient to settle the matter now, and he would move, That the Bill be read a second time that day six months.

The Hon. Colonel KENNY listened with some little disappointment to the remarks of the Hon. Sir F. Dillon Bell. He thought, from the tenor of those remarks, that the honorable gentleman entirely agreed with his own view, and would have taken the course taken by the Hon. Captain Fraser. What could be the use of the honorable gentleman declaiming against making those large endowments, if he and other members of the Council did not take some action in the matter? He was surprised to hear the honorable gentle-

man place the whole burden on the shoulders of the Colonial Secretary. What that honorable gentleman had to do with it any more than the late Colonial Secretary (the Hon. Dr. Pollen) had to do with it, he could not see. The honorable gentleman seemed to forget that these Bills were not a crop of this year. They were a crop of last year, and were merely resuscitated. They simply formed a part of eighteen or twenty Harbour Bills which came down last year, and which were not received in the favourable manner they now were. He would not like to say anything offensive to the Council, but he supposed he might say this: that he, at any rate, was acting consistently. It was with very great reluctance that he rose to speak; but he felt constrained to do so, because he could not act inconsistently, however much other honorable gentlemen might feel they could with propriety do so. He could consistently point to what he said last year when the Bluff Harbour Bill was under consideration. He then declared his intention to oppose all borrowing powers—which then pervaded all the Bills—and also all endowments. He had consistently acted upon that principle, and he would continue to act upon the same principle. Some honorable gentlemen, who had started last session with the same view as he did, at another stage in the consideration of those Bills withdrew their objections to endowments, but still maintained their objections to borrowing clauses. Now, he still maintained the same objection to both, because the endowments so proposed to be made were nothing more than granting money in lieu of borrowing powers. Unless they heard from the late Government, who first brought in those Bills, or from the present Government, who now permitted them to be brought in, some clear definition and some uniform plan upon which those endowments were to be made, he did not think they ought to be granted. If the Government stated some definite plan, they might be presumed to be following some principle, but, if the present mode were continued, he would say that it was absolutely dishonest. The only actual asset for the money they had borrowed was the Land Fund and the lands of the colony. It was all very well to say that they had borrowed upon the Customs, the Consolidated Fund, and all that sort of thing. Those were uncertainties; but the actual asset was the land of the colony. It was never contemplated, at the time the money was borrowed, that those large endowments would be made, and that they would be prepared to extend, as they did last year, and were doing now, borrowing powers to corporate bodies, Harbour Boards, and other bodies of that kind. He did not think it a duty to repeat oneself from session to session. He took his stand when Sir Julius Vogel's policy was first introduced, and he was perfectly satisfied with the course he took, and he believed he would be one of those who, in the end, would be found to be right. He believed the colony was now plunged into difficulties—to which attention would shortly be drawn by honorable members of the Council—owing to the course taken on that occasion. He had also opposed provincial borrowing when it was pro-

posed two or three years ago, and he had taken the same course in more recent times. He would vote for the amendment, and he saw no reason, and believed he would see no reason hereafter, when honorable gentleman had expressed themselves on the financial condition of the colony, to change the course he had taken, and he would continue to give the same opposition as he had done hitherto in the direction of which he had spoken.

The Hon. Dr. POLLEN hoped the Council would allow him to say a word in explanation to his honorable and gallant friend Colonel Kenny. He did not think the honorable gentleman desired to do him, or the Government of which he was a member last year, an injustice; and he would call to the honorable member's recollection that, of all the Bills of the kind of which the honorable gentleman complained that were introduced last year, none of them were promoted by the Government as such. The only Bill he had any personal concern with was a little Bill to promote the improvement of the Waimakariri Harbour, and he was bound to say that it received at the hands of the Council worse treatment than any of the other Bills similar in character that were introduced. He thought it right to call this fact to the recollection of his honorable friend, and to add that, in regard to that particular Bill, he was only representing a colleague who had a deep interest in the welfare of the district in question.

The Hon. Colonel KENNY understood the honorable gentleman to rise seriously, and not to make a joke. He, at any rate, said in all earnestness that he did not intend to cast any reflection upon the late Ministry, or upon the Hon. Dr. Pollen. He simply meant to imply that it was rather inconsistent that the honorable gentleman who was then Colonial Secretary should expect the honorable gentleman at present holding that office to justify the course that had now been taken, when it was his own duty equally to justify the course that was taken by the late Government last year.

The Hon. Dr. POLLEN was only desirous of expressing the greatest possible sympathy with his honorable friend the Colonial Secretary.

The Hon. Mr. HALL.—“A fellow-feeling makes us wondrous kind.” His honorable friend Dr. Pollen sympathized with the Hon. Colonel Whitmore, because he did last session what that honorable and gallant gentleman was going to do this session. He could bear his honorable friend Dr. Pollen out in the assertion that he fathered last session one of the Harbour Bills, which appeared to the Council, upon inquiry into the matter, to be a very questionable Bill. He quite agreed with those honorable members who said that upon the second reading the Council should say “Aye” or “No” to the principle of the Bill. What was that principle? It seemed to him that the principle was this: Should they authorize the appropriation of a certain portion of the public estate in the neighbourhood of Riverton, for the purpose of making other land in the neighbourhood of Riverton more easily accessible, and of thereby encouraging its beneficial occupation? That was the principle; and had his honorable

Hon. Colonel Kenny

friend the introducer of the Bill shown, not an absolutely conclusive case, but had he shown a *prima facie* case why they should go into Committee to consider this Bill? He was bound to say that he should have liked to have heard more full and definite information on the subject than the Hon. Mr. Menzies had given them—that kind of information which had been supplied in the case of the Bluff Harbour. In that case there was an amount of authentic information placed before them which was satisfactory, and it would have been better if equally detailed and authentic information had been supplied to them in regard to this Bill. On the whole, however, he was not prepared to say that his honorable friend had not made out a *prima facie* case for the Bill being further considered. While he thought the Waste Lands Committee should not have imposed upon it the task of deciding the general principle of whether they should apply the waste lands to the improvement of harbours which furnished an outlet for those waste lands, as he considered the Bill when it went to the Waste Lands Committee had their indorsement upon it to that effect, yet he held the Committee was bound to go into the question of whether it was likely that the improvements which would be effected by means of the Bill would have the object which his honorable friend said they would have. That was not a question which, with all due respect to the Council, he submitted, they could fairly go into in the whole Council: and therefore, if they thought that there was a *prima facie* case made out with regard to a harbour which was the outlet for an important part of the country; if gentlemen from that part of the country testified that it was a rich producing district, and that the produce raised there would not bear heavy carriage expenses, as they knew oats could not, and there were consequently difficulties in its finding its way to the market—if all these things happened, he thought there was a *prima facie* case for a detailed consideration of the matter in Committee. On that ground, therefore, he would be prepared to vote for the second reading of the Bill. Before sitting down he would say one or two words in reference to what had fallen from the Hon. Colonel Kenny, and also, in some degree, from the Hon. Sir F. Dillon Bell. His honorable and gallant friend said he was perfectly consistent in the action he had taken, and he (Mr. Hall) could bear testimony to that. The honorable gentleman had opposed these Harbour Bills throughout. But where he thought the honorable member was not accurate was in saying that granting these endowments was tantamount to authorizing borrowing. It was just the opposite—it was rather in the place of borrowing. They authorized the appropriation of a certain portion of the waste lands of the Crown for the improvement of means of communication, instead of compelling those persons who were locally interested to borrow money for the purpose—instead of compelling them to burden themselves with debt. It was not tantamount to borrowing, but in lieu of it. It was a different mode of executing the work, and, he ventured to think, a very much better mode. He very much regretted that this

principle of carrying out public works had not been carried very much further—had not been initiated long ago. If that had been done, they would not have found themselves at the present time staggering under a very heavy load of debt on account of the public works which had been undertaken. His honorable friend would, he was sure, admit that he (Mr. Hall) was equally consistent in advocating the principle of the appropriation of public lands to these large public works. He believed sincerely that for any new country that was the very best policy which could be adopted. Of course it required to be carried out with care and with prudence, but, if that were done, he believed there was no policy more likely to conduce to the prosperity of a new country than that of taking care that its waste lands, as they were parted with, were made use of for encouraging the beneficial occupation of the land. The Hon. Colonel Kenny said that the waste lands were the only asset they had, and therefore it was a duty they owed to the creditor not to part with them in this way. But what were they doing? Were they preserving this asset? What did the public accounts tell them? They were selling it as fast as they could; and was it any greater injustice to the public creditor to apply a portion of the waste lands of the Crown to improving the remainder, than to sell the public estate outright to private individuals, and have no further claim upon it? Was there any wrong done to the public creditor in the one case which was not done in the other? If he were a public creditor of the colony he would very much rather see half of its public lands applied to improving communication all over the colony, and therefore to improving what was left of the public lands, than see them sold outright to private individuals, without any guarantee that those improved means of communication would be effected. He hoped his honorable friend would consider that view of the case. His honorable friend Dr. Pollen had said that the Council should not be afraid to express its opinion on this question. He quite agreed with the honorable gentleman, and therefore ventured to lay down pretty broadly what he believed to be the right policy in these cases. He had very great sympathy with any proposal of this kind; but, at the same time, it was quite right that they should guard against proposals such as those described by the Hon. Sir F. Dillon Bell, for the mere purpose of getting grants of land. But, if they were fairly on their guard against proposals of that kind, and only assented to such as could be shown to be useful and necessary to develop the resources of the country, they could not go too far in so applying the waste lands of this colony.

The Hon. Colonel WHITMORE said his honorable friend Dr. Pollen just now bespattered him with that kind of sympathy which, he confessed, did not make him feel "wondrous kind." The honorable gentleman said what was particularly antipathetic to him—that he was endeavouring to shelter himself under the Waste Lands Committee. If he did endeavour to shelter himself under the Waste Lands Committee, what

opinion did the honorable gentleman form of his own action last year, when nineteen of these Bills were sent to that tribunal? He (Colonel Whitmore) did not like to be supposed to shelter himself under any tribunal whatever. Wherever it was his duty to undertake responsibility, come what might, he would loyally accept it. But he did not consider it was the part of the Government to express a Ministerial opinion upon every Bill promoted by a private member which was brought into the Council. The course he had taken in speaking upon this Bill was rather in his private than in his Ministerial character, because there was no Ministerial function particularly with regard to the Bill. He rose in his place, and gave honorable gentlemen all the information he had been able to get with such facilities as he had at his command; and, notwithstanding the partial contradiction of his honorable friend Mr. Nurse, he believed that information to have been entirely accurate, and such as to enable honorable gentlemen to form an intelligent opinion on the subject. But he said before and said still that, unless they rejected this Bill upon the principle that they would not tolerate endowments in land and borrowing powers in connection with the waste lands, it was their duty to send it and similar Bills to some tribunal where the plans could be inspected and evidence taken, and where an opinion could be formed and reported to the Council as to whether the project was feasible or not; whether it was one that would seem to be desirable and for the good of the country, or whether the proposal appeared to be a frivolous one, based upon no fair grounds whatever. That was the position he took up both on the present occasion and last year. The Hon. Colonel Kenny said very truly that he had always taken a consistent stonewall course with regard to these matters. He (Colonel Whitmore) refused to do that last year on the second reading of the first Harbour Board Bills. He said that there was one general objection which, in his opinion, pervaded all these Bills, and that was that this was a matter in which the Government should introduce a general Harbour Board Bill, and place a proposal before the House to guide honorable members—that they should tell the Council which, in the opinion of the Government, were national harbours and which were not. As that proposal was not made, he thought they could, in almost every case, resist the Bills that were brought before them, unless in the Waste Lands Committee it was shown that the public interests would suffer if some steps were not taken. It was stated, for instance, in the Waste Lands Committee, with regard to the Oamaru Bill, that, unless something were done immediately, the large sums of money which had been expended upon that harbour would be lost—that the works would be destroyed by the action of the sea. He thought that was a good ground for making an exception, and accordingly he made that exception to the others last year. Something of the same kind was proved in regard to the Wanganui Harbour, but the Council refused to allow anything more than a very limited foreshore endowment. In

that case a definite and reasonable project was put forward, and the Council was shown how the public interests would suffer if something were not done at once, and it limited its action to the very lowest requirement. This year the Council had affirmed the principle of the Wanganui Bill. They had acted, in his opinion, in a totally different spirit from that in which they had acted last year. It was not for the Government to control this branch of the Legislature. It was represented here by only one Minister, and it was impossible that the Government could, in measures of this kind, attempt to use in the Council the force and the influence that it could use in another branch of the Legislature. Therefore it followed that, when the Council had once taken into its own hands a measure involving a principle of this kind, he must take as his guide in judging the temper of the Council what its action was on that occasion. He told honorable gentlemen how, in his opinion, this Riverton Harbour Board Bill stood, and he gave a very fair indication as to how he would, as an individual member of the Council, have voted. He would have allowed the Bill to go to the Waste Lands Committee, to examine its proposals, as was done with the measures last year; and if a good case could not be shown he would vote against the Bill. Therefore the Hon. Dr. Pollen, notwithstanding his sympathy, was a little unfair upon him. The honorable gentleman felt no obligation upon himself last year to defend each one of the Harbour Bills, or to make a Government statement upon each; but what he did feel that he was entitled to do was to introduce the most ludicrous Bill and the most preposterous proposal of all those made to the Council. In doing that, the only indication he gave to the Council of the mind of the Government with regard to the Harbour Bills was his attempt to throw a sort of ridicule over the whole. With the exception of the Castlepoint Harbour Bill, which, they were given to understand, was introduced for no other purpose than ridicule, there was no Bill brought before them that had so little to commend it as the Bill the Hon. Dr. Pollen introduced; and the honorable gentleman was content on that occasion to allow the Bill to go to the Waste Lands Committee, without imagining or allowing it to be thought that he was sheltering himself in any way. It was very true that the Vogel policy had brought about these questions, but not because the principle of endowments of land was any part of that policy. It was struck out very early in the Vogelian era.

The Hon. Sir F. DILLON BELL.—It was his.

The Hon. Colonel WHITMORE said it was Mr. Vogel's originally, but it was never carried out. It was struck out exceedingly early in the Vogelian era. These measures were brought about by a demoralization of the public mind. There was a desire, a craving, for spending money upon any kind of enterprise, without the slightest reflection as to whether it was to be remunerative and good for the State or not. That was what the Vogelian policy had done for the country. It had flushed them with too much borrowed

money, and they had hardly yet begun to understand what a heavy burden they would feel it when they had to pay the price. That payment was not very far off. His honorable friend Sir F. Dillon Bell had very often this session alluded to it, and had hinted at it on the present occasion. The fact was, their financial position was not a satisfactory one. He did not intend to shelter himself—he said it in his capacity as representing the Government—when he said that their financial position was most unsatisfactory, and would demand, at no distant period, large sacrifices from the people of this country merely to pay the interest on what they owed. He did not think that he did anything unreasonable in agreeing, as a private member, that this Bill should be read a second time, for in doing so he was following strictly the precedent of last year. They would affirm the principle only, subject to what the Committee found out for them, and what they could ascertain in Committee of the Council, to be satisfactory. If it were not satisfactory, they would go no further with this or any other similar Bill. The Government had no desire that any proposal which was unsound or unsafe in itself should be pressed through the Council; and, in suggesting that this Bill should go to the Waste Lands Committee, he did not desire to impose upon that Committee, over which he believed his honorable friend Dr. Pollen now presided, any unusual or unfair task. He did not think that any additional instruction would require to be given to the Committee beyond what was customary. He hoped honorable gentlemen would not think he had taken up too much of their time in the remarks he had made. The fact was, he rather felt the animadversion that had been cast upon him by two or three speakers, notably the Hon. Dr. Pollen and the Hon. Sir F. Dillon Bell, because, in a Chamber in which there was but one representative of the Government, and where so many Bills had to be introduced by him, it seemed to him to be impossible to take a Ministerial view and make a statement upon every single Bill that came into the Council. He took up a great many Bills to prevent their being allowed to lapse, and informed himself upon them as well as he could, for which he could only be responsible in his private capacity. He would always inform the Council when the Bill was a Ministerial one, but there were a great many Bills with regard to which he felt perfectly free, and as to which the Government were not at all bound to make a Ministerial statement. Last year he took so distinct a part in connection with Harbour Bills that he felt bound to act consistently this year, and it was on that account that, as a private member and not as a Minister, he had pursued the course he had taken in regard to this Riverton Bill. He hoped he would not be accused of evading any part of the responsibility that ought to fall upon a Minister on the one hand, and, on the other hand, that he would not be debarred from expressing his opinion as a private member of the Council in regard to any Bill of this nature. His honorable friend Sir F. Dillon Bell cast a distinct reflection upon him when he said that he

*Hon. Colonel Whitmore*

had no business to speak in his individual capacity in this matter. He (Colonel Whitmore) desired to assert for himself a right to speak on such matters in his private capacity, and not to be always supposed to be enunciating a Ministerial statement in every word he said.

The Hon. Mr. HART said there was one subject which had been brought up in this debate to which he thought it worth while to call the attention of the Council. It appeared to him, from all that had been said, that the action taken by the Waste Lands Committee upon this class of Bills was one which did not strictly belong to it. Although valuable service had been rendered to the Council by that Committee, and although there had been no other provision made for meeting the necessity which had been met by the Waste Lands Committee taking upon itself a very onerous duty, still, properly speaking, Bills of this class should be referred to a Sessional Committee appointed expressly at the commencement of the session—a joint Committee of both Houses, to whom these local Bills should be referred. They should be introduced under certain regulations, as was the case with all Bills of this kind introduced into the Imperial Parliament. A Bill of this description would never be brought into the Imperial Parliament without some notice having been previously given to the public, and without certain necessary and preliminary proceedings it would not be taken into consideration by the House. Now, he thought that there should be a Sessional Committee to whom Bills like these should be referred, and to whom parties promoting these Bills should be bound to furnish plans, estimates, and grounds for their proceeding, with reasons to induce the Legislature to pass the Bills. What did the Council know about these matters beyond the general statement made by the member who moved the second reading of the Bill? There was another point which had been mooted in this debate, and as to which he thought the view taken by the Colonial Secretary was hardly correct. The question of how to find outlets for the produce of this country, of how it should reach the ocean, of how the commerce of the country should be carried on, was one which the Government should specially take into its consideration; and a thorough and judicious discrimination should be exercised by the Government over these very Bills themselves; and the Government, by its representative in the Council or elsewhere, should be ready to say that it is either prepared or not prepared to support a Bill of this kind. The Government should take upon itself that responsibility, because these were matters which affected the commerce of the country. There should be one general system steadily studied out by the Government, so as to discriminate with judgment the merits of each. He did not think that this case was one on which sufficient had been stated on the second reading to induce him to support the measure, and he would therefore vote for the amendment.

The Hon. Mr. CHAMBERLIN was sorry he could not support the Bill, principally for the reason that he did not see any necessity for

a harbour in such close proximity to that for which they had just passed the second reading of a Bill. He looked at the map of Southland, and noticed that—he would not say within cannon-shot, but—within a very short distance of Riverton was the Bluff Harbour. He was at Invercargill two years ago, and he was then informed that the Riverton Harbour was about fifteen or twenty miles from Invercargill. If such were the case—if Riverton were even within fifty miles of the Bluff—he scarcely saw the necessity for harbours dotted along the coast so very near each other. He totally objected to the principle of endowing harbours all over the country by the appropriation of land, except in special cases. In the case of the Bluff Harbour it might be a national benefit, but in the case of a small harbour like the Riverton one he did not see the justice or necessity of it. If it was necessary to do anything to the harbour, let the people put their hands in their own pockets in the same way as the people of Auckland had done for their harbour. As far as he could learn, something like a small wharf or pier was all that was required. If such were the case, surely it would not be a very large burden on the rate-payers of the district to tax themselves for that purpose. If he understood the Hon. Colonel Whitmore aright, he argued that, because the Wanganui Harbour Bill had passed, it was only right that the Riverton Harbour Bill should be assented to. He did not think that they were parallel cases, because they knew that on the West Coast of the North Island, from Wellington up to that celebrated harbour called Raglan, there was not a harbour of refuge. He therefore thought the Wanganui Harbour was a work of necessity; otherwise he totally disagreed with the land being devoted to such a purpose. The District of Wanganui was a young district, and, unless aided by the Government in some way or other, they could not possibly make the harbour themselves. He would vote for the amendment.

The Hon. Mr. BUCKLEY said that this Bill had led to an interesting debate, and it was to be hoped that something good would come out of it. However, it would be very unfortunate if Riverton lost the Bill through it. He would vote for the second reading, because he thought that as good a case had been made out for it as for others. He was glad to hear the remarks of the Hon. Dr. Pollen and the Hon. Sir F. Dillon Bell, although he thought it was scarcely fair to the honorable gentleman representing the Government to ask him to state the views of the Government. He looked upon those endowments as an evil which had been growing up for years past. It arose through the Government not taking up the question as they should have done, and leaving it to private members. It was very wrong that private members should be allowed to introduce Bills dealing with the public estate, and he was sure that such a practice did not prevail in other colonies. That was one mistake. The next was with respect to the works themselves. He thought the Council were often asked to deal with those matters without having any information whatever before them as to whether



the works proposed were likely to be of any benefit, or likely to be equal to so much money thrown into the sea. No doubt a great deal could be said in favour of land endowments for such works; but honorable members would agree that during the last two years they had become very lavish in those endowments: in fact, outsiders might be impressed with the belief that they wanted to get rid of their public estate as soon as possible. There was one thing which, in his opinion, was lost sight of. If they looked into the accounts of those provinces in which reserves were made, they would find that the land revenue year after year did not actually pay the charges upon it. In fact, year after year they were covering the deficiency in the Land Fund of those particular provinces with Treasury bills; and yet they were making away with the land as fast as they could. That was a very strange way of dealing with the public estate. The Hon. Mr. Hall spoke very much in favour of making land endowments, and he understood him to say at the same time that the endowments were made in lieu of borrowing. He was very much surprised to hear that remark, because it appeared to him that it was very rarely they had given endowments without also giving borrowing powers.

The Hon. Mr. HALL might be allowed to explain. He intended to say that the alternative was either for the colony to borrow money to make harbours, or to grant land for that purpose. In the one case they would augment the colonial debt, while in the other they would only diminish the colonial estate.

The Hon. Mr. BUCKLEY did not altogether see the difference, and, if they flattered themselves that in giving those bodies power to borrow they were not adding to the debt of the colony, they were making a mistake which they would soon find out. He thought it would be far better for the Government to borrow money for this purpose, if necessary. As he said before, the Government had neglected the interests of the harbours of the colony. He had always held that the harbour works should not be left to Boards. Besides, if large borrowing powers were given, they would have to pay a high rate of interest. A short time ago the borrowing powers were limited to 6 per cent. Now the rate of interest was 7 per cent. If the works were done by the General Government they would be able to get the money at 5 per cent. Thus 2 per cent. per annum was lost to the people of the colony. In the case of the Wanganui Harbour Board Bill, he found that the sum authorized to be borrowed was £100,000, and the endowment 25,000 acres. There was the Bluff Harbour: borrowing powers £50,000; endowment, 35,634 acres. There is the Patea Harbour, where there are no borrowing powers, but last year there was an endowment granted of 3,500 acres, and this year there is a further endowment of 286 acres. Then there was the Riverton Harbour Bill: the borrowing powers were £20,000, and the amount of endowments 15,000 acres. There was also the New Plymouth Harbour Bill, in which the borrowing powers were £200,000, and the endowment one-fourth of

*Hon. Mr. Buckley*

the proceeds of the whole land revenue of the province. There was thus proposed to be borrowed a total of £370,000, and 75,000 acres of land proposed to be given as endowments. As other similar Bills had been read a second time, he thought this Bill should also pass, and go through the ordeal of the Waste Lands Committee. It was a pity that so many members of the Waste Lands Committee were promoters of Harbour Bills. However, he had faith in them, and he hoped that each would look into the Bills closely.

The Hon. Mr. PEACOCK thought it was a pity those Bills did not go to the Waste Lands Committee before they were read a second time. He did not go the whole length of the Hon. Colonel Kenny, who denounced borrowing altogether, even for useful purposes. If it were for a remunerative purpose he would not object to borrowing, but he thought this was a case in which they should not grant either endowment or borrowing. In the first place, they had no plan before them, and anything he had heard certainly did not induce him to believe that it would be worth while to spend this money. The honorable member said that, in each of the years 1875 and 1876, eighty or ninety vessels took away 17,500 tons of cargo. But he also said that if the harbour were improved they would not be able to send away any more, because the district at the present time was cultivated to its full producing power. Now, they had gone to enormous expense in making railways, and it appeared that several were to converge in Riverton. He did not think they should spend a large sum of money in making harbours which would be competitors with those railways. He would support the amendment.

The Hon. Sir F. DILLON BELL wished to make an explanation with reference to the remarks of the Hon. Colonel Kenny. The honorable gentleman expressed not only surprise at the course he had taken, but apparently great disappointment, as if he (Sir F. Dillon Bell) had led him to expect that he agreed with the view that all those Bills should be stonewalled. That was not his view. What he said was that there should be a uniform plan for dealing with such Bills; and, while he had no doubt about the necessity for certain harbour works properly considered, he did not see that there was any reason why, because they voted in favour of the second reading of the Bluff Harbour Bill, they should necessarily take the same course in the case of the Riverton Harbour Bill. He also wished to point out to the Colonial Secretary that he was mistaken in supposing that it was his (Sir F. Dillon Bell's) intention to make any reflection upon him. But the doctrine which the honorable gentleman announced, that a Minister was entitled, upon a question of this kind, to express his individual opinion, apart from the opinion of his Government, was most surprising. A Minister had no freedom of expressing an individual opinion upon a question affecting the public estate. It had been laid down by Parliament that no harbour works should be undertaken without the sanction of the Governor in Council, and he would respectfully submit that it was not right for the

Government to give support to any Harbour Bill, or to allow any Harbour Bill to go through the Legislature, without having some view of its own as to the nature, necessity, cost, and value of the proposed harbour works. That was why he thought the honorable gentleman could not hold the position that he did. Unless good proof were shown of the necessity and value of this work before the Waste Lands Committee, he would not be a party to recommending its adoption. In the case of the Kakanui Harbour Bill, he had declined to introduce it, because Kakanui bore the same relation to Oamaru Harbour that Riverton bore to the Bluff. He thought the policy was an absurd one of first expending large sums on one harbour, and then setting up a rival harbour in close proximity to it.

The Hon. Mr. MILLER wished to say a few words in order to complete the lecture which he thought the Hon the Colonial Secretary had properly received. He thought that the doctrine that honorable gentleman enunciated was very extraordinary. It was impossible for an honorable member occupying his position to dissociate himself from his responsibility as a member of the Government leading the Council. He could not speak merely as an individual upon measures such as this one, affecting the public interests. He was free to confess that he expected that the honorable and gallant gentleman would have guided him in this matter. He thought that it was the duty of the Government in matters of this kind to afford the information which they had a better opportunity of obtaining than private members had. He regretted that this Bill could not be sent to a Select Committee: not because he had not perfect confidence in the Waste Lands Committee, but because that Committee had so much to do that he thought that the work would be better done by a Select Committee. If a good case could be made out for the Bill by the Committee he would certainly be inclined to vote for it, because he considered that the principle on which these endowments were given was that the works would enhance the value of the public estate; and therefore, so far from adding to the burdens of the country, they would be relieving the country. This port certainly seemed rather near to the Bluff Harbour, but, at the same time, on the understanding that he was free to act hereafter as he saw fit, he would not oppose the second reading of the Bill.

The Hon. Mr. MANTELL said that there was one point which rendered the claim of Riverton rather weak—namely, that a large sum was to be spent on the Bluff Harbour, which was in close proximity, and which was really a harbour capable of improvement, and the only one they could afford to improve in the present state of the finances of the colony. No one could wish better to Riverton than himself. He was not going to follow those honorable gentlemen who tried to find out where the blame lay for bringing these proposals forward. He was of the opinion of the old philosopher who said that when people got into trouble fools blamed others, men beginning to be wise began to blame themselves, and wise men blamed no one. He thought

it was a waste of time trying to discover who was to blame for their present condition. Two or three of them stood out against those financial proposals which had brought the colony into that condition, out of which it required greater ability to extricate them than it required to involve them in. Those who stood out against those schemes might satisfy their own vanity by recalling their past action; but they did not succeed in protecting the country, and he did not think there was much use in recalling what was past. With regard to the question of consistency, he thought that every member who came there determined to vote justly and rightly in every matter that came before him was deserving of as much praise as the member who prided himself upon voting the same way each successive session. But he held one opinion very strongly: that was that, involved as they were with the public creditor, it was the duty of the Government in power to protect the interests of that creditor; and it was clearly the duty of the Government to see that the security should not be reduced by any carelessness or inattention. So far from that being the case, it was very much the practice of Governments to follow the example of a gentleman well known in history, who was probably respected by leading statesmen, and who, when he found he was in difficulties and likely to leave his place, told those to whom he was under certain obligations to take pens and write quickly; and so sacrificed the interests committed to his charge. It was all very well for the Hon. Mr. Hall to say they did not sanction borrowing, and that this did not affect the public creditor. Well, it affected the public creditor to this extent: that, so far as they went on appropriating the public estate as endowments, they were reducing the security to that amount; and, to his mind, taking the plain common-sense view of the matter, they were very much in the position of the merchant in difficulties who, finding himself totally insolvent, made over to his wife or some intimate friends as much property as he possibly could. That seemed to him to be the analogue in private life of the course they were pursuing now. Honorable gentlemen expressed regret that this mode of endowment was not discovered until lately. It was not discovered because it was thought that the public creditor would not be so ready to advance money for large works if the colony had not all this land to offer as security. It was only now, when they had nearly exhausted their power of borrowing, that they wanted to secure those little nest-eggs for themselves. After the money had been expended in those places to the full extent of their just claims upon the colonial purse, they wanted to make over what security remained, in order to spend it upon some other little work of their own. He quite agreed with the suggestion that it would be better that instructions should be given to the Waste Lands Committee to extend the sphere of its action in regard to Bills of this kind. As a matter of form, he would vote in favour of the amendment against the Bill, although, as a matter of certainty, he supposed it would go, with other Bills of the same kind, to the Waste Lands Committee.

The Hon. Mr. MENZIES altogether differed from the opinion expressed by the last speaker, that they were lessening the value of their security by applying a certain portion of their capital, of their landed estate, to certain public works. It was quite true they were lessening the extent of that landed property, but it was equally true that if they applied it properly to useful public works, such as the improvement of natural outlets, and improving the facilities for communication by railways, they were increasing the value of the estate they retained to a greater extent than they lessened it by diminishing the area. Therefore the argument would not hold that they were squandering their capital. It might be that they were not applying it in every case so well as they ought, and in such cases they were no doubt lessening the value; but, where the capital was properly applied towards increasing the facilities for access to ports, and adding to the facilities of internal communication, then they raised the value of what remained, and increased their assets. It had been stated, and very justly, that matters such as this should be initiated by the Government—that the Government should fairly consider which were the best ports and those which deserved to have the largest expenditure on them. With the strong engineering staff at their command the Government were in a position now to do what hitherto, perhaps, they had not been capable of doing. He did not, however, go the length of saying that those were the only ports on which any expenditure should be made. The very case now under consideration was one on which, possibly, the Government, at a distance, might say, "There is the Bluff Harbour—a harbour of the first class—situated within a reasonable distance, and within a few hours' sail. What do you want with another port?" He answered that it was quite true that a railway had been designed; that contracts had been taken for that railway leading from the Invercargill and Winton Railway to Riverton, and from thence to Otatau; that a very large amount of money had been expended, and some of the earthworks had been constructed: yet there were only a few hundred yards of rails laid down, and, as they were only 29 lbs. to the yard, they would require to be taken up before anything more than mere toy carriages and wagons would work upon them. The earthworks had not been completed. There was a small piece formed here, a mile there, and half a mile in another place, at various points between the northern line and Riverton; but there was no great length continuously formed. A sum of money had been paid to the contractor by way of payment for the works, and compensation for the loss of contract, very nearly equal to the whole sum for which he originally contracted to take the work; and the completion would probably cost half as much again as the original contract. He did not think the colony would be in a position to carry out that work for some time. But, supposing that it was constructed, what followed? Certainly not what the Colonial Secretary said, and what other honorable members believed, would follow. Riverton was by this line

*Hon. Mr. Mantell*

of railway about twenty-three or twenty-four miles from Invercargill. They counted nineteen miles from the Bluff, and at the very least Riverton must be not less than forty miles from the Bluff. The cost to the farmer of sending oats forty miles by railway to the Bluff would be very considerable compared to the cost if shipped at Riverton; it would absorb the margin of profit. The harbour at Riverton was not one which had to be formed, or one which had been selected in order to start a traffic. There was a traffic there now. It was a good harbour for small vessels. What was wanted was such improvements in the entrance of the harbour and such increased wharf accommodation as would facilitate the traffic and lessen the expenses. The Hon. Mr. Peacock had said that this proposed improvement would not be likely, it was admitted, to increase the produce. He thought the honorable gentleman had entirely misunderstood what fell from the Hon. Mr. Nuree. What he (Mr. Menzies) understood the latter honorable gentleman to say was, that the country had already been roughly cultivated, was partly now in cultivation, and the most part in grass; and that, if a ready and rapid communication with the outer world and increased facilities for export were given, there was no reason why the whole of that country should not be brought again under cultivation. All the grass country there, which was mostly limestone country, was very productive, and he had no doubt that, if the price of grain were the same as it had been in the last few months, the effect would be to bring the whole into cultivation again. The tendency in the South was to run rapidly over the rough land and bring it into cultivation, then to lay it down in grass, and thus place it in the best condition for the subsequent growth of crops. The suggestion of the Hon. Mr. Hart, that these Bills should be referred to a Sessional Committee before being read a second time, was similar to one thrown out the other day by the Hon. Mr. Hall, and which was now being considered by the Standing Orders Committee. He had no doubt the proposal would be carried out, and be found to be very useful. At the same time, the Waste Lands Committee, in considering these Bills, by no means had its hands tied down to the details. It had never yet hesitated to consider the policy of any Bills sent to it, whether it was in the order of reference or not, and he had never yet heard its reports censured on that ground. More than that, he thought that, when questions of policy were involved in Bills brought under its revision, it would fail in its duty if it abstained from a consideration of those questions of policy. There were two or three other points to which he might refer, but he felt that the Council had bestowed a good deal more time on this Bill than perhaps its relative importance warranted. He trusted the Council would not object to read it a second time, and refer it for further consideration to the Waste Lands Committee.

Question put, "That the word 'now,' proposed to be left out, stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	18
Majority against ...					2

**AYES.**

Captain Baillie,	Mr. Menzies,
Colonel Brett,	Mr. Miller,
Mr. Buckley,	Mr. Nurse,
Mr. Hall,	Mr. Paterson,
Mr. Holmes,	Colonel Whitmore.
Mr. Lahmann,	

**NOES.**

Sir F. Dillon Bell,	Mr. Mantell,
Mr. Chamberlin,	Mr. Peacock,
Captain Fraser,	Mr. Pharazyn,
Dr. Grace,	Dr. Pollen,
Mr. Hart,	Major Richmond, C.B.,
Mr. G. R. Johnson,	Mr. Williamson.
Lieut.-Colonel Kenny,	

The amendment was consequently carried, and the Bill ordered to be read a second time that day six months.

**DUNEDIN LOANS BILL.**

This Bill was considered in Committee.

Clause 16.—Commissioners to furnish accounts.

The Hon. Mr. BUCKLEY moved the omission of the words "to the Council."

Question put, "That the words proposed to be omitted do stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	9
Noes	...	...	...	...	10
Majority against...					1

**AYES.**

Captain Baillie,	Mr. Lahmann,
Sir F. Dillon Bell,	Mr. Menzies,
Mr. Hall,	Mr. Peacock,
Mr. Hart,	Colonel Whitmore.
Mr. G. R. Johnson,	

**NOES.**

Mr. Buckley,	Mr. Miller,
Mr. Chamberlin,	Mr. Nurse,
Captain Fraser,	Sir J. L. O. Richardson,
Mr. Holmes,	Mr. Russell,
Lieut.-Colonel Kenny,	Mr. Williamson.

The amendment was consequently agreed to.

The Council adjourned at ten minutes past eleven o'clock p.m.

**HOUSE OF REPRESENTATIVES.**

*Monday, 12th November, 1877.*

First Reading—Adjournment—Tawhiao—Privilege.

Mr. SPEAKER took the chair at half-past two o'clock.

**PRAYERS.**

**FIRST READING.**

Civil List Bill.

**ADJOURNMENT.**

Sir G. GREY moved the adjournment of the House till half-past seven o'clock, in order to afford members an opportunity to attend the funeral of the late Mr. A. Ludlam, who was an old member of the House, and a gentleman who had on many occasions rendered great service to the Colony of New Zealand.

Mr. STAFFORD seconded the proposition with very great pleasure. Mr. Ludlam had been a member of the House in several Parliaments. He was one of the earliest New Zealand settlers, and was in every sense a valuable colonist. He would have been prepared to second a motion to adjourn the House till next day, and he would ask the honorable gentleman to accept that suggestion, if the House expressed a general wish in the same direction.

Mr. J. C. BROWN said that, however desirable such a proposal might be, it should not be forgotten that there was a great deal of very important business before the House. He thought the adjournment till half-past seven would sufficiently mark the respect of the House to the memory of Mr. Ludlam.

Sir G. GREY objected to a longer adjournment than half-past seven. They had now reached a very advanced period of the session, and it would be a very great mark of respect to adjourn till half-past seven o'clock. He certainly could not assent to a further adjournment.

Mr. SPEAKER, with the concurrence of the House, vacated the chair.

**HOUSE RESUMED.**

Mr. SPEAKER resumed the chair at half-past seven o'clock.

**TAWHIAO.**

Mr. SHEEHAN.—Before the Orders of the day are called on, I wish to read a telegram received from Waikato, having reference to the proposed meeting of Sir George Grey with the King. The telegram is from Major Te Wheoro, a chief who is very much respected in the Waikato country, and who occupies a position as right-hand man to the Native King. It is to this effect:—

"Tawhiao's people are collecting large supplies of food for the meeting with Sir George Grey and yourself. Potatoes and flour have arrived from Waikato. Men have gone to Kawhia for fish and eels, and food will be abundant."

**PRIVILEGE.****ADJOURNED DEBATE.**

The adjourned debate was resumed on the question, "That a message from His Excellency the Governor, with its enclosures, be taken into consideration."

Major ATKINSON.—I move the adjournment of this debate for one week. It appears to me that there is no necessity in this case to proceed further at the present time. The whole argument has been placed before His Excellency the Governor for his consideration as to how far he

agrees with the course we have taken. His Excellency's message in reply has been received by this House, through his Ministers; and I think it would be conducive to the good feeling which this House desires to maintain towards His Excellency if the matter were allowed to stand over for a time. Looking at the fact that the whole correspondence is to be referred Home for a decision—not on any matter relating to our privileges, so far as I can see, but for decision as to what appears to me to be a point of constitutional law—looking also at the fact that there is a very great deal of important business before the House, it seems to me that our time will be better employed this evening in considering the Land Bill than in further considering this question, which can have no result. I beg to move the adjournment of the debate for one week from the present time.

Mr. STOUT. — I think the honorable member for Wellington City (Mr. Travers) has been placed in a false position. The object of moving the adjournment of this debate is apparent to the most superficial observer. The honorable member for Egmont wishes to get on with Motion No. 3 before the motion of the honorable member for Wellington City is discussed. I presume he is afraid that if the motion of that honorable gentleman is acceded to he will be sent for rather than the honorable member for Egmont. The object is so transparent that I think it very bad generalship on the part of the honorable member for Egmont, who should have got some other member of his party to move the adjournment. For my own part, I think it is much to be lamented that, in an important question of this character, there should be any party feeling manifested on either side. It is not a question affecting one party in this House alone, but it seems to me to be a question affecting not only the privileges of this House, but the whole scope of constitutional government. Now, what are we asked to do? Adjourning the debate for a week simply means that there will be no reply sent to His Excellency before the mail leaves *via* San Francisco—I believe at the end of the week. The result will be that His Excellency will be allowed to send an *ex parte* statement to the Home authorities as to the position in which Ministers and himself stand towards each other. I had hoped that when this matter was brought before the House we should have found the honorable member for Wellington City doing what he intends to do—namely, discussing this question entirely free from any party bias. I cannot understand what has come over that honorable gentleman. In moving an amendment the other evening he assumed a position totally opposed to that which he assumed a week ago. He has now taken up a position opposed to and irreconcilable with that which he had taken up before. Why he has done that I cannot tell. Nothing has transpired in the meantime. As far as His Excellency is concerned nothing has transpired at all to affect the honorable gentleman's position in regard to the breach of the privileges of this House. Nothing has transpired, except that His Excellency has sent down his own

*Major Atkinson*

memoranda to this House, and I think any one who will take the trouble to read the memoranda very carefully must regret that His Excellency ever penned them. The honorable member for Egmont says the reason why he moved the adjournment is the sole desire to get on with the business. Well, I presume we are bound to believe what he states. I can only regret that this desire was not manifested last week. It would have been better for the country. We could have had the Land Bill passed through this House if it had not been for his obstructive action. We spent two or three days in doing nothing but attempting to get at this wonderful Motion No. 3. He also made this threat in the House: that, until Motion No. 3 obtained its place on the Order Paper and was discussed, this House would be unable to do any business. Now, I do not at present care to go into the main question, as I presume I shall have an opportunity of doing so at another time. I can only say that I think the honorable member for Wellington City has not been kindly treated. The position of leadership which he assumed has apparently been snatched from him by the proposer of this amendment. I think that he himself must regret that action on the part of the honorable member for Egmont, because he was one of what I may term the Middle Party, and I presume that they ought to be the leaders in a case of this sort. I regret very much that the honorable member for Egmont will not allow the matter to be discussed. I should have liked to have heard the honorable gentleman's reasons. If the House chooses to look at this matter from a party spirit, I have no doubt, when this party fighting comes to an end, and when honorable members get into a harmonious feeling, they will regret that a question of such importance to the whole colony should be treated in the way this question is now treated. The Secretary of State is to define what are the privileges of this House; he is also to define when Ministers act in a constitutional manner. If such be the case, there will be no such thing as Parliamentary government in this colony. It would be far better if we were placed under a dictator at once. I shall say no more, but reserve to myself the right of criticising the matter fully at another time. I shall only say that I am anxious to see the Land Bill gone on with. I think the honorable member who moved the adjournment of the debate should have named an earlier day than this day week for resuming it.

Mr. GISBORNE.—I should feel disposed to agree to the adjournment were it not for the fact that the mail goes to England in a few days, and it takes with it the memoranda of His Excellency the Governor, in one of which, dated the 8th November, he says,—

"This question as to the extent to which Government are responsible to Parliament for the acts of the Governor is one which cannot possibly be decided in the colony. The Governor has, therefore, decided to forward the whole case for the consideration and decision of the Secretary of State for the Colonies, by whose decision he is bound to abide."

It is clear that in this memorandum the Governor submits his view that the Legislature here cannot decide the question to what extent the Government are responsible to Parliament. He also states that he will "forward the whole case for the consideration and decision of the Secretary of State for the Colonies." Now, I was at first under the impression that the Governor was not going to refer the question of the breach of privileges of this House to the Secretary of State for his decision. When I read the words that he was going to forward the whole case to the Secretary of State for the Colonies, it seems as if he was going to include the question of privilege in the question of the constitutional relation of Ministers to Parliament. But, even upon this question of the constitutional relation of Ministers to Parliament, I should be sorry that the House should acquiesce in silence in such a doctrine. That the Secretary of State for the Colonies can decide the question of the constitutional relations of Ministers to this Parliament is a doctrine that I cannot admit. The Secretary of State is the recognized adviser of Her Majesty, and Her Majesty has certain functions, defined by the Constitution Act, with reference to our legislation; but those do not include the definition of the responsibility of the Government, or the determination of the extent to which the Ministry of the day may be responsible to Parliament for the acts of the Governor. I came down this evening under the impression that the honorable member for Wellington City was going to move his resolution; and I was prepared to move, as an amendment to the second clause, "That this House respectfully, but firmly, protests against any proposal to submit to the decision of the Secretary of State for the Colonies the constitutional relations of the Ministry to Parliament, and the question which has occurred as to the breach of the privileges of this House. The New Zealand Parliament can alone decide those relations, and this House is the sole judge of its own privileges." If the adjournment of the debate would not prejudice the question I should not now rise to oppose it, but if the idea is to go abroad that we are to pass *sub silentio* the view of His Excellency as to the powers of the Secretary of State with reference to our constitutional government I will not agree to the adjournment. I should have moved the resolution which I have read as a substantive motion if the honorable gentleman had not first given notice of his resolution, when I felt that I was bound to give precedence to him. I say that the view laid down by His Excellency in the extract which I have quoted, and to which I do not think that on reconsideration he will adhere, is perilous to the first principle of constitutional government; and I hope the House will not agree to the adjournment, and at the same time allow any impression to go abroad that it intends to pass by that expression of His Excellency's views without some protest on its part.

Mr. REYNOLDS.—I intend to oppose the adjournment. I think the proper way is to settle this question at once. I must say I think the

Government acted somewhat injudiciously in recommending His Excellency to make an appointment to the other branch of the Legislature, under all the circumstances. At the same time, that is not the question before us. What we have to consider is the memorandum of His Excellency the Governor and the motion of the honorable member for Wellington City (Mr. Travers). That honorable gentleman, to my mind, has placed himself in the most ridiculous position that I have ever seen any honorable member occupy since I have had the honor of a seat in this Legislature. He moves now, "That, in the opinion of this House, the course taken by Ministers in relation to the matter in question was unconstitutional and otherwise improper, and deserves the censure of this House." Now, Sir, on the 1st November the honorable gentleman stated,—

"I should be very sorry indeed, and I think it would be very much to be lamented, if this question were treated in any way except as one involving the privileges of the House—one in which all members must be perfectly willing to join in defending those privileges."

Is this defending them?—

Mr. HURSTHOUSE.—Question.

Mr. REYNOLDS.—The honorable member calls "Question," but I think I know as well as he does when I am speaking to the question.

Mr. SPEAKER.—I think the honorable member should confine himself to the question of adjournment, and merely adduce reasons either for or against the debate being adjourned.

Mr. REYNOLDS.—That, Sir, is just what I was intending to do; but, in order to give my reasons for not consenting to the adjournment of the debate, it will be necessary for me to deal with the whole question.

Mr. SPEAKER.—It is desirable not to open up the main question.

Mr. REYNOLDS.—I do not see how I am to give my reasons for not adjourning the debate without at the same time opening up the main question.

Mr. SPEAKER.—The honorable member will debar himself from speaking to the main question again, if he does so now.

Mr. REYNOLDS.—I shall not want to speak to the main question again. The honorable member (Mr. Travers) then went on to say,—

"If the resignation of Ministers was necessitated by a breach of the privileges of the House, I should defend them strongly, whatever feelings I might otherwise have towards them. Therefore I think this question should be discussed absolutely apart from anything in the shape of party or personal feeling. One fact must be borne in mind: We are called on to establish a precedent of a very important character, and I think it would be well for the leaders of the House on both sides to take the matter into consideration, so as to arrive at a settled conclusion. It cannot be satisfactory to discuss the question in anything like heat or animus as regards the occupants of the Treasury benches, or the gentleman who occupies the position of Governor of the colony."

Mr. TRAVERS.—Hear, hear.

Mr. REYNOLDS.—The honorable member has the modest assurance to say "Hear, hear;" and yet, after making those remarks, he ventures to bring forward such a motion as that which he has placed on the Order Paper. Then I find that on the 5th of this month he brought up the report of the Select Committee appointed in the case, and immediately moved a resolution upon which you, Sir, founded your address to His Excellency enclosing the resolution passed by the House. The honorable gentleman again says,—

"I beg to move, That this House concurs in the report of the Select Committee on the Privileges of the House; and that a respectful address be presented by this House to His Excellency the Governor, covering the resolution of this House. As may be seen from the minutes of proceedings, I was not present when the report of the Committee was adopted; but I have no hesitation in saying that, had I been present, I should have voted for the adoption of the report."

Now, what does the report say?—

Mr. SPEAKER.—The honorable member is travelling beyond legitimate bounds in adducing such reasons against the adjournment of the debate. That is the question before the House, and I hope the honorable member will not travel outside it.

Mr. REYNOLDS.—I wanted to refer to the main question, in order to induce honorable members to vote for a resolution which I had intended to move if no one else had done so—namely, the previous question. That is my object; but if you, Sir, rule that I am going beyond bounds in the remarks I am making, I shall of course bow to your ruling.

Mr. SPEAKER.—The question is the adjournment of the debate, and the honorable member should not travel outside that.

Mr. REYNOLDS.—Then I shall leave the remainder of my remarks to some other occasion. All I will say now is, that I trust the House will not agree to the adjournment. The mail leaves, I believe, on Monday next, and His Excellency should know the decision of the House before that mail goes out. It is only due to His Excellency that, if any action is to be taken by this House, it should be taken at once; and, if no action is to be taken, then by all means let His Excellency know that as soon as possible.

Mr. WAKEFIELD.—I think it will be a great pity to adjourn the debate. It seems to me that the House has somewhat forgotten the position in which the question stands. As far as I understand, we have not arrived at any decision whatever upon the question with regard to these papers and the memoranda between His Excellency and Ministers. All that has been done is this: It has been moved that these papers and memoranda shall be printed and taken into consideration. We have debated that question up to a certain point, but to this moment no order has been made that the papers should be printed and taken into consideration. I think, therefore, the motion of the honorable member for Wellington City (Mr. Travers) is premature, and out of

*Mr. Reynolds*

place as a contingent motion. I cannot see how it can come on until the debate in which the honorable member for Riverton had possession of the House at its last sitting has been disposed of. When we have come to a decision one way or the other as to whether these papers shall be printed and considered or not, then will be the time for the honorable and learned member to bring down his motion for the censure of the Ministry for the part they have taken. I can see no utility in adjourning the debate for a week. Let us have this question settled at once. If the Ministry are deserving of censure for what they have done, let us take the matter into consideration at once; and, if the majority of the House deem that they are censurable, then let us censure them and have done with it; but, if not, let us take the papers into consideration, and decide that they are not censurable, and give the answer of the House to the correspondence of His Excellency. We must remember that His Excellency has invited us to give an opinion. He has expressly ordered his Ministers to lay these papers on the table; and the only reason there can be for that order is that he wished the House to give an immediate expression of opinion upon the correspondence and papers attached. Therefore, not only should we be doing wrong to this House with regard to the privileges which we have decided were broken, but we should be disrespectful to His Excellency, if we delayed the answer to the papers which he has asked his Ministers to lay on the table. The honorable member for Egmont has not given one reason why we should adjourn this discussion. It is true he said, "It is very late in the session,—let us go on with the Land Bill;" but, as was very properly remarked, it was only three or four evenings ago that he absolutely threatened a "stone wall." He said, "No business shall be gone on with. You shall not pass a Bill or a resolution. You shall do nothing whatever until my motion is considered." And now he says, "Let us adjourn this trumpery business of privilege—this mere nothing—let us go on with the Land Bill." Sir, that will not do. The House will not fall into that view. Let us have this privilege question settled at once and for all. I believe the honorable member for Wellington City made a mistake in bringing his motion forward, but, having done so, the sooner it is removed from the Order Paper the better. Let us bring that honorable gentleman face to face with the motion which he has taken upon himself the responsibility of placing on the Order Paper, and let us ask this House whether it is going to sacrifice its privileges, and to censure the Ministry because they were not prepared to do so. I believe the course proposed to be pursued by the honorable member for Port Chalmers is the proper course; but I do not think, and I believe your ruling, Sir, will uphold me, that it can be taken. I do not think the previous question can be moved before the motion of the honorable member for Wellington City is made, or before we have come to a decision as to whether the memoranda shall be taken into consideration or not. The debate must be concluded.

The honorable member for Riverton has waived his right to speak for the time, and other members may waive their right to speak. In that case we should come to an immediate decision. We may decide that the memoranda shall be printed and taken into consideration by the House. In that case the honorable member for Wellington City would immediately have a right to move his contingent notice of motion; or we might decide the opposite, in which case the motion would be shelved. I hope the House will observe the immense importance of the considerations involved in this great question raised by His Excellency's memorandum, and will not postpone this debate, or allow any other business to be done until it is disposed of, although the honorable member for Egmont may consider that the Land Bill, under existing circumstances, is of more importance than the privileges of this House. And let us approach the question apart from any party feeling. I am quite prepared to listen to every argument, and to vote in any direction in which my feelings as a member of this House, and not as a member of any party, may lead me. I hope every member will approach the subject in the same manner, and that we shall come to a decision which may be used as a precedent for the future, so that, if such a difficult question arises again, we shall be in a better position to deal with it than we have been to deal with it in this instance.

Mr. BRANDON.—Sir, I think the honorable member who spoke last fell into an error when he said His Excellency wished this matter to be dealt with immediately, because if we look at the memorandum of the Governor we find the following passage:—

"In conclusion, the Governor would wish to state that, in reply to a telegram from himself, he has heard from Sir Hercules Robinson that a precedent, which appears very nearly similar, did occur to Lord Belmore, and that his action was approved of by the Secretary of State.

"The Governor wishes to place no stress upon this information, as he has not been able to find the case, and does not know how far it may be parallel; but it is his intention, if the case has been published, to request Sir Hercules Robinson to furnish him with a copy as soon as possible."

Clearly, therefore, the honorable gentleman did not state the position, because His Excellency refers to a precedent which, inferentially, he says the House ought to consider. As I said before, this is simply a case between the Governor and the Government.

Hon. MEMBERS.—No, no.

Mr. REES.—The House.

Mr. BRANDON.—The honorable gentleman has his opinion, but I have a right to mine, that it is simply a question between the Governor and the Ministry. If Ministers propose to do something and the Governor says he will not do it, it is for the Government to resign, and then it becomes a question for the House; but that has not been done. His Excellency has simply exercised a discretion which he is intrusted with.

Hon. MEMBERS.—No.

Mr. BRANDON.—I have consulted the con-

stitutional authorities, and I am satisfied that I am right in my opinion that it is a matter the House has nothing to do with. I contend that it would be discourteous to the Governor to deal with this matter now. He complains in his memorandum of having been condemned unheard, of having had no one to defend him; yet now we are asked to consider this matter without giving his Excellency time to quote the precedent to which he has alluded. The proposal of the honorable member for Egmont cannot prejudice the question; therefore I shall support the adjournment.

Mr. W. WOOD.—The honorable gentleman has carefully avoided any allusion to the question before the House, and has not said one word about the adjournment. In all he has said, he has carefully misstated the question at issue. The House is not complaining that the Governor refused to take the advice of his Ministers. The honorable gentleman knows that. What the House complains of is, that the Governor has taken cognizance of what was going forward in this House, and made that a reason why he refused to follow the advice given him by his Ministers. I shall oppose the adjournment for reasons which may be stated in a few words, and which should be sufficient to induce every member of the House to vote against it. A common case of privilege in this House takes precedence of all other business. This is an extraordinary case, seeing that it involves the privileges of this House and of every settler in the country, and therefore it should take precedence of everything. I suppose the honorable member for Egmont has counted noses, and has found that this will not be a stepping-stone to assist him into power, and therefore he is anxious to move it out of his path; but I can tell the honorable gentleman that there are many other stumbling-blocks in his way, and that on the next occasion that he attempts to get on to those benches he will fail, not from one, but from many accidents. I strongly recommend the honorable gentleman to endeavour to come to the conclusion that there are other matters of public business besides that of reseating certain honorable gentlemen on those benches. He talks about letting us get to the business of the country, but the business of the country in his view means that we should again place him on the Government benches. I cannot support the adjournment.

Mr. WAKEFIELD.—As a point of order, I should like to know if, the House having ordered this matter to be taken into consideration, we have any alternative from proceeding to the discussion of the matter.

Mr. SPEAKER.—It is quite within the province of the House to vary its own order when it pleases.

Mr. TRAVERS.—Before the motion for adjournment is put, I should like to say a few words with reference to what has fallen from some honorable members. For my own part, I am indifferent on the point of adjournment, for the simple reason that I am unable to see how the privileges of this House can be affected by the discussion of the memoranda placed upon



the table by Ministers. I may point out that the question, so far as this House is concerned, was settled by the assertion of its privileges and the communication of that assertion by a resolution being forwarded to the Governor. His Excellency does not attempt in the slightest degree, in his memorandum, to deal with this question, either by way of confession or by way of avoidance. He finds himself in an embarrassing position, owing to the relations between himself and his Cabinet. His Excellency puts the matter thus: "Owing to the position in which I am placed by the Cabinet, owing to the attitude that they have taken, and owing to the attitude they at present take in the House, I am not able to give that definite reply which I should otherwise have been able to give." If the Ministry had taken a constitutional course, if they had come down to this House and signified that they had resigned because His Excellency had refused to take their advice by reason of something which was going on in this House, then I should have supported their action at all cost. I was prepared when the matter was first brought before the House, and I am prepared now, to support the Ministry in a constitutional course if the privileges of the House were sought to be invaded. But I look upon the privilege question as entirely apart from the question as to the constitutional relations between the Cabinet and the Governor, and their several relations to this House. The privileges of this House have already been asserted, and I do not gather that His Excellency has any intention of referring that question to the Secretary of State. I read the matter entirely differently. No doubt His Excellency has said he will refer the whole question, but we must look at the context, and I take it that he refers only to the action of the Executive and the position in which he has been placed by them in regard to this House—the circumstance that they will not defend His Excellency in this House while they still choose to retain office. The Premier told us the other night that he at once, in obedience to those instincts which are characteristic not only of a gentleman, but of a gentleman occupying his position, had made up his mind to tender his resignation, but that he was overborne by the advice of the other members of the Cabinet. It is a pity the honorable gentleman did not obey his own instincts. He would then have received the support of every member of this House; he would have received the support, at all events, of those who have any respect for the privileges of this House. I respect the privileges of this House, and I unhesitatingly say that I should have supported the honorable gentleman had he taken the course which constitutionally he ought to have taken in reference to this matter. It appears to me that the adjournment of the House will not in the slightest degree interfere with the privileges of this House, either in the past or in the future, as affected by any action on the part of His Excellency. Its privileges have been fully asserted, and the memorandum of His Excellency simply says that it is his intention to refer the whole question between himself and his Cabinet

*Mr. Travers*

to the Secretary of State. I should like to know to what extent that decision will affect the privileges of this House. None in the least. But His Excellency has a right to refer his own position and conduct, and the course he has taken in regard to the matter, to the Secretary of State, who is his recognized superior.

Mr. WAKEFIELD.—May I ask you, Sir, whether the honorable gentleman is speaking to the question of adjournment?

Mr. SPEAKER.—I think the honorable gentleman is travelling beyond the question.

Mr. TRAVERS.—I do not wish to travel beyond the question. I am giving reasons why I think there should be no objection to the adjournment of the debate; because the adjournment of the debate does not in the slightest degree affect the question of privilege, which has already been decided. I think, when honorable members are permitted to cast reflections upon my conduct in reference to this matter, and to read quotations from my speeches, the indulgence of the House should be accorded to me while I endeavour to show that there has been no inconsistency in my endeavour to maintain the privileges of this House, and in my reflections upon the conduct of Ministers in regard to the position which they have taken up with respect to his Excellency. The two positions are entirely distinct. I never wavered in the slightest degree in regard to the opinion I have expressed in this House. It is all very well for gentlemen who really do not go profoundly into these questions to attempt to give a colour to language which it does not properly bear. My language bore upon a particular point, and if honorable gentlemen confuse and confound it I cannot help it. It must be attributed to their idiosyncracies. If I thought the adjournment would in any degree militate against the assertion of the privileges of this House, or if I thought his Excellency had referred that question to the decision of the Secretary of State, I should go into the lobby with the "Noes." But that has nothing to do with it. This House has in a most distinct and emphatic manner asserted its privileges—it has always asserted its privileges; but such a motion as mine, whether carried or not, is not likely to affect the position of the Government in the slightest degree. They would not have resigned if it had been carried, nor should I have been called upon by his Excellency to form a Government. They would have accepted the contemplated censure, as they have accepted other censures, with perfect equanimity. But I can see no reason why the motion should not be postponed. The Government will survive the postponement, and it will give honorable gentlemen an opportunity of considering the difference between the question of constitutional law as it now stands between his Excellency and his Ministers, and the question affecting the privileges of the House.

Mr. SHEEHAN.—One very often hears, on both sides of the House, a declaration of this kind: "This, Sir, is not a party question, and we hope the House will not make it a party question." It would be refreshing to believe that this is really the case; but I have lost all faith

in protestations of that sort. When we find a quiet, stolid old gentleman like the honorable and learned member for the Wellington Country District framing most absurd reasons for the adjournment, we know very well that it is not the motion of the honorable member for Wellington City that exercises his mind. The fact is, the honorable member for Egmont, smarting under a sense of great anxiety, saw at once that there would be no escape from a political Siberia if the honorable member for Wellington City had an opportunity of bringing forward his motion. It is quite evident that this is being made a party question; but the party will not respond. They have been tried. The whips have been brought into requisition, but the party will not make any forward movement. I have heard of people being extinguished, but it is a strange sight to see a man extinguish himself. That is just what the honorable member for Wellington City has done. Now, let us look at this Gospel according to St. Peter, if I may use the term. The honorable gentleman, two or three days ago, took up this subject in the most earnest manner possible. He was the champion of our privileges. He distinctly laid it down that it was not a question between the Governor and his Ministers—it was a question between the Governor and this House. On that understanding the matter was discussed before the Committee; and, although the honorable gentleman was not present when the report was adopted, he moved its adoption in the House on a statement which absolutely confirmed it. Yet he talks about the instincts which should characterize a gentleman, and says that if the Government had had the instincts which should characterize gentlemen they would have resigned when their advice was refused.

Mr. TRAVERS.—I did not say that.

Mr. SHEEHAN.—The honorable gentleman said that if the Government had had the characteristics of gentlemen they would have resigned.

Mr. TRAVERS.—I did not say so.

Mr. SHEEHAN.—I am not at all surprised that the honorable gentleman should in five minutes forget what he said.

Mr. TRAVERS.—I said that the Premier, in obedience to the instincts, not only of a gentleman, but of a gentleman occupying his position, said that it was his intention to resign, but that he was dissuaded from doing so by the other members of the Cabinet.

Mr. SHEEHAN.—The honorable gentleman has put his foot into it. The Premier, who had the instincts of a gentleman, was prepared to resign, but his colleagues—

Mr. TRAVERS.—I did not say what their instincts were.

Mr. SHEEHAN.—No, but I can tell the honorable gentleman what they are. They are instincts which will at least bear favourable comparison with his. The honorable gentleman says that the adjournment can do no harm, and that neither good nor harm can come out of the reference of the question to the Secretary of State. Sir, the honorable gentleman has been accustomed, in the course of a long professional

life, to make the worse appear the better cause, and I was therefore not in the least surprised to hear him use such arguments as he has used on the floor of this House to-night. If we refer this question to the Secretary of State, if he is to settle the question of the privileges of this House, why not refer the whole question to him at once? If we adjourn for a week, we are allowing him to lay down what our privileges are. That is the real question. The honorable gentleman may cover it up in a cloud of words, but that is the real question which still remains. It is not a question between the Governor and the Secretary of State. It is a question of our conduct and the conduct of this House, and the House is ten times more concerned in it than we are. Argument of that kind would not deceive fools, much less men of ordinary intellect. Then the honorable gentleman was guilty of a weakness when he quoted his speeches. He ought never to read them. There is as great a difference between the honorable gentlemen's speeches as could well be imagined. Take up *Hansard* for the last three months, and it will be found that his speeches will bear out every opinion that has been uttered on any side of any question. As a matter of course, he frequently contradicts himself. But then the honorable gentleman says he never wavers, which is a rather "tall" statement, coming from that quarter, if I understand wavering to mean floating about from one opinion to another, saying one thing to-day and another to-morrow, with the chance of saying something else the next day. I think the honorable gentleman has wavered most unmistakably. He is the political will-o'-the-wisp. You never know where to have him; he cannot be caught. I confess we did try to drop a little salt on his tail, but he changed position too rapidly for us. Sir, the whole secret of the matter is this: There is in this House now what has been termed a baby—an infant phenomenon—and it has been hawked about the House so much that the perambulator of that infant politician has broken down. My honorable friend's motion, which was to turn out the Ministry, and which was to enable him to soar into position as a member of a new Cabinet, has to make way for the child. Well, I can assure the honorable gentleman that the motion for adjournment will not do that. Even at the risk of being accused of cruelty to children it is quite possible that the child will want that political milk upon which it has been nourished. The honorable member for Wellington City says Ministers should have resigned when the question between them and His Excellency was brought forward. That is, to my mind, the real substance of the question between the Ministry and the Governor. I contend we are not bound to resign.

Mr. REYNOLDS.—He said that you should not resign.

Mr. SHEEHAN.—Yes; but that was a few days ago. Sufficient time has elapsed to admit of a complete revolution in the honorable gentleman's opinions. But within the last half-hour he said that we ought to resign. I say that we ought not to do anything of the kind. If we

did, it would sanction this practice. His Excellency might not like his own Ministers. He might prefer the old leaven; he might be sighing for a return to the flesh-pots of the political Egypt; and he could very easily decline to accept the advice of his Ministers. I may say that, although some of us are young, we have cut our wisdom-teeth. We are not going to be deceived in that way. We felt that there was a much more important question underlying this matter than many people suppose; and, for my part, I do not mean to sink that more important question to the exigencies of party. I do not care a pin whether this motion be carried or not, but I have the utmost scorn for any honorable gentlemen who, for the sake of obtaining a mere party triumph, are content to abandon their privileges. This is not a question of this session or this Parliament—it is a question which will affect our institutions for generations to come. I ask the House not to be misled. There are people who say, "This is an unimportant matter. What we want to do is to get our Bills passed through, so that we may go home;" but I say that the moment this Parliament allows its privileges to be infringed it is entering upon the first stage of decay, while, on the other hand, the Parliament which resists the first attempt to infringe its privileges is the one which is taking a proper stand in defence of its own rights. The House is being called upon now to abandon the strong position it has held, and to throw that position to the winds. I hope the House will not consent to this proposal for adjournment. We are now in communication with the Governor, and he has given us good reasons for not replying to our message. It is well known that by the outgoing mail all this correspondence will go to the Secretary of State, without an expression of opinion on the part of this House. I may say that I am quite prepared to stake my position on a question of this kind. It is a question on which, to my mind, any Ministry should be proud to go out of office. All we wish to ascertain is, how far the privileges of this House are to be invaded. We might have resigned, and we might have resigned without bringing back the old party to office; but I contend that my honorable friend the Premier pursued the proper course when he declined to resign until he had seen how far our privileges were to be invaded. Whatever may be the result of this motion, or of this session, I shall look back with pleasure to the part I have taken in defending the privileges of this House even against His Excellency the Governor. I say this is a matter which ought not to be postponed for a week. An honorable gentleman has said that the question has been raised for the purpose of enabling us to pick a bone with the Governor; but I say that it is not so. The question at issue was simply whether or not His Excellency the Governor should act on the advice of his Advisers respecting the appointment of a gentleman to a seat in the Legislative Council. I hope the motion for the adjournment of the debate will not be agreed to.

Mr. HODGKINSON. — I shall oppose the adjournment of the debate. I think the honor-

*Mr. Sheehan*

able member for Totara has given sufficient reasons why the debate should not be adjourned, and I think that no other reasons than those urged by that honorable gentleman are needed. As regards the proposal of the honorable member for Wellington Country Districts that, as a matter of courtesy, we should wait until the Governor gets the opinion of the Secretary of State or Sir Hercules Robinson, I can only say that I think it is absurd. In my opinion the question should be gone on with at once. As I understand this question, it appears to me that, since the House decided that there was one breach of privilege, a second case of breach of privilege has arisen. The Governor lays it down distinctly that the case cannot be settled in the colony, and therefore he has decided to forward it for the consideration and decision of the Secretary of State for the Colonies. Then his Excellency says, "In conclusion, the Governor would wish to state that, in reply to a telegram from himself, he has heard from Sir Hercules Robinson that a precedent, which appears very nearly similar, did occur to Lord Belmore, and that his action was approved of by the Secretary of State." He assumes that our decisions are to be approved of by the Secretary of State; and I say that that is an infringement of the privileges of this House. This sort of thing cannot be decided anywhere out of the colony. I shall vote against the adjournment; and, moreover, if we agree to adjourn for a week the honorable member for Wellington City (Mr. Travers) may change his mind again.

Sir G. GREY.—Sir, shame has been cast on this Assembly by the remarks which fell from the honorable member for Egmont. He said that these questions of our privileges were to be submitted to the decision of the Secretary of State. Sir, when the honorable gentleman said this, he implied shame to the people of New Zealand, and he has brought shame upon himself by telling us that it was our duty to submit questions of that kind to the decision of any foreign authority. I will say, further, that shame falls upon the Opposition for not proceeding with the vote of censure on the Government which they brought forward, and for allowing that vote of censure to stand over, so that, as they believed, the correspondence between His Excellency and the Government, and the statement that a vote of censure upon the Government was pending, would leave the colony concurrently. Not that we care for that. Those labour under a mistake who think that this Government will so far forget itself as to forward any explanation to the Secretary of State either regarding the question of privilege which has been raised or the proposed vote of censure of the Opposition. We know too well what we owe to this House and the country to demean ourselves to that extent. I ask the House patiently to consider the points which have been raised, and which are to be submitted to some external authority, and then to consider whether this debate should be adjourned. The first point is this: The Governor claims the right of declining to take the advice of his Responsible Ministers whilst a vote of want of confidence is pending: that is to say, that, if there are succe-

sive motions of want of confidence moved, the Governor of New Zealand may, for an indefinite term, govern without Responsible Advisers. Now, Sir, we believed that that was a question which we ought to consider. That was to us an entirely new question; and I almost think, Sir, that the Governor has been encouraged by the conduct of previous Administrations in the belief that he possessed those powers. Perhaps the late Administration allowed him to exercise them without remonstrance: I almost think so. We felt it to be our duty to test the question. Though we thought that the Governor, if he chose, had a perfect right to maintain that he had those powers, we believed that those powers were not constitutionally vested in His Excellency, and that consequently we had a right to test the question. We believed, further, that the only tribunal before which this question could be brought was this House. My colleagues and myself had to act under novel circumstances, and we deemed it to be our duty to use no language which could offend anybody, but simply to lay the papers before the House, and let the House take whatever action it thought proper regarding them. I hold that we appealed to the proper tribunal, and that we took the proper means of trying the appeal. If we were wrong, we were the parties who should suffer; and, if the Governor was wrong, what harm could have happened to him? Well, Sir, additional questions have now arisen, which I think this House alone can decide, and I think it ought to decide them promptly. We are told that the Governor is responsible to the Secretary of State alone. I believe that that is a most dangerous doctrine. Now, I will define what the true position of the Secretary of State to the Governor ought to be—but I may say that that position has within the last few years been unconstitutionally altered. The true position of the Governor to the Secretary of State ought to be this: The Secretary of State ought to recommend Her Majesty to appoint a certain gentleman to be Governor of a colony. But the Secretary of State does not now use language of that kind. He says to the Governor, "I have appointed you," or, "I now appoint you." I hold that that language is incorrect, unlawfully used, and derogatory alike to the dignity of the Queen and to the rights of her subjects. The moment the Secretary of State has appointed a Governor, all responsibility of the Governor to the Secretary of State ceases. The Governor then becomes responsible to the laws and to the Constitution of the colony to which he has been appointed. He knows nothing of the Secretary of State; he knows nothing but his duty to the country which he governs, and the oath which he has taken, to govern according to law. It might as justly be said, when a Judge is placed on the bench by a superior authority, that the Judge is responsible to the authority which placed him there. No such responsibility exists. The powers of a Governor are transcendental, exceeding even those of a Judge. In his hands alone rests the issue of life and death—the last appeals of the condemned for pardon; in his hands rest many powers of that kind. Can it

be said that for the exercise of such powers as he by law holds he is responsible to the Secretary of State? Is he not responsible to the laws of his country, to the laws and the Constitution of the country which he may govern? We ought to settle that question and decide that point. Again, Sir, we are told that the Secretary of State has the power of deciding these questions of great rights and privileges which are under our consideration. His Excellency has stated that, and the honorable member for Egmont has stated it in the face of this House. But I say that of the Secretary of State we absolutely know nothing—for the Secretary of State we absolutely care nothing. The Constitution Act of this colony expressly says that the only relation in which the Secretary of State stands to us is this: that, upon certain subjects, he communicates to this Government Her Majesty's commands. That is the whole duty of the Secretary of State. Let him confine himself to his proper functions and to his proper duties, as I believe he will. We will confine ourselves to our functions and to our duties, and we will see that no respect is wanting to ourselves. Whatever the honorable member for Egmont may say, and whatever his supporters may say in this House, he will find that the statement he has made this night is not one which he ought to have made. It is a statement which will never receive sanction here or from the people of the colony. These questions are really questions of the most vital importance. Let us reflect for one moment upon our position. Undoubtedly there is some correspondence going on between the Governor here and the Governors of the other colonies on this question; and I say it behoves all of us to take care that no other advisers but ourselves are called on to give counsel or advice upon the issues that are before us. Sir Hercules Robinson has nothing to do with us. We do not interfere with him. No external authority shall interfere here. The people of New Zealand are perfectly capable of settling these questions themselves. Our statesmen, I contend, are no whit behind those of any other country. All sorts of questions of the most embarrassing nature, which may shatter the Empire, may arise, if this kind of interference is permitted. You are aware that in other colonies questions have arisen as to the conditions under which dissolutions are to be allowed by the Governors, and various precedents are being set up in those colonies. If once the principle is established that the various colonial Governors may consult with one another, and really establish a code of laws for these colonies, the most disastrous results must take place. I say that we ought, at the outset of proceedings of this kind, quietly and in a proper spirit, simply to say that we will ourselves maintain our absolute rights—that, as the people of Great Britain are entirely free in their form of government as administered in the British Islands, so we are absolutely free in our form of government as administered in New Zealand. We must maintain this: that our statesmen, within the limits of New Zealand, are as capable of deciding what their rights are, and of faith-

fully and properly upholding those rights, as the statesmen of Great Britain are capable of maintaining their rights within the limits of the British Islands. The statesmen of Great Britain possess the right of claiming a dissolution under certain circumstances, and we have the same right. If they have the right of claiming a dissolution absolutely unfettered by all conditions, and if the Crown never imposes conditions on the statesmen of England when it grants a dissolution, are we not to be trusted with the same freedom? Really these questions do not only contain the substance that appears on the first inspection, but there are lying hidden beneath them great principles, which claim our most earnest attention. What I think has not been sufficiently considered is this: that, when we talk of remitting this question to the decision of the Secretary of State, as was proposed to-night in this House, we must remember that the Secretary of State for the time being may be considered as the exponent of the feelings and the principles of a certain party; that the views of parties alter in England, and alter more especially in reference to the Colonial Empire. Some twenty years ago—I think it was not longer ago than that—the desire of the party then in power was to break up the Empire. That desire was frequently expressed in the most open language; that desire was followed out by patent acts; that desire was actually in some respects accomplished. For instance, in South Africa they did break up the Empire; they did, at the sole will of the Secretary of State, separate certain portions of the Queen's subjects from the rest of Her Majesty's subjects; they did declare, without the authority of Parliament, that British subjects inhabiting certain territories, whose lands had been granted to them by the Crown, who had been for years living under the Crown, and faithfully attached to it, should, from and after a certain date, without the authority or consent of Parliament, cease to be Her Majesty's subjects. Those acts were accomplished by the sole will of the Government for the time being. The right of the Government to accomplish such acts was contested by a number of men, myself amongst others. We were told that legal opinions had been taken at Home, to ascertain whether these powers existed; we were told that legal opinions were taken that satisfied the Secretary of State; but we were never told that the opinions of the proper law officers of the Crown, of the Attorney- and Solicitor-Generals, had been taken on these points; and I am sure they never had been taken until the acts were completed. Those acts were performed: and now, at the end of twenty years, it is generally admitted that those acts were absolutely unlawful. In that case, a party were about silently to break up the Empire, and to provide that for the future a great part of the Anglo-Saxon race was to be broken up into small powerless communities, without any common bond of union. This was to be done against their own consent: without their own knowledge it was to be done; without any previous preparation for such a change was this great event to have been brought about. I believe that certain similar acts recently done in reference to New Zea-

land will hereafter be found to have been unlawfully done. We were told that legal opinions had been taken in reference to those acts. I believe that the opinions of the British Attorney-General and Solicitor-General, in reference to the meaning of the Act of Parliament under which they purported to have been done, never have been taken. But recently, within the last few months, I read this expression as having been used in the British Parliament: a Minister of the Crown, the Under Secretary of State for the Colonies, speaking of the proceedings for breaking up the Empire to which I have alluded, said, "the present Government viewed them with detestation" (I think "detestation" was the word he used); the Empire, it was said, was now to be held together and to be welded together. And then, as part of their proceedings, they took up a plan of mine for the federation of the whole of the South African States. This bears on what is going on here, and is well worthy of consideration, as showing the tendency of party feeling at this moment in England on this particular subject. They have resolved to weld the Empire into one great federation; and that is, I am sure, a result which every one of us would delight to see. We should all be glad to see the whole English-speaking race ultimately bound together by one common bond, thus forming a federation able, silently and unostentatiously, to preserve the peace of the world by its latent power alone. Now what is to take place under the new Act of the Imperial Parliament with the various States of South Africa?—for there are many of them. According to my plan, those of them that elected their own Governor were, if they joined the federation, still to be at liberty to do so. Those that had two Chambers were to continue to have two Chambers; and the Upper House, in each such case, was to continue an elective body, according to the Constitutions which existed. Those that had only one Chamber, elected by the people, were still to have one Chamber so elected; and they were all to have the power of regulating their own internal form of government. But, by the Act recently passed, the Constitution forced upon New Zealand, or a Constitution precisely similar in form, is to be forced upon each State which comes into the federation. Whether its Governor is elected or not, from the moment it comes under the federation the Governor is to be nominated by the Crown. Although its Legislative Council may be elective, from the moment it comes under the federation the Council is to be nominated by the Crown. The party in power at the present time in the British Government are attempting to set up throughout the Empire a similar form of Constitution in every one of the dependencies of the Crown, thus destroying that variety of Constitution which, in my belief, would tend more than anything else to the peace, happiness, and welfare of the whole Empire, because affording those differing forms of government which geographical position and configuration, distinctions of race, distinctions of laws, distinctions of language, and distinctions of customs absolutely demand. Under such a system, such differences and diversities

*Sir G. Grey*

of forms of government, under one great federation, would have existed as would have allowed experiments and advances in political knowledge, and would have created an emulation amongst nations as to their respective forms of government, which must have produced valuable results. Undoubtedly, an attempt is being made at the present moment to reduce the whole of the Imperial colonial dependencies to one set form of institutions; and I say that it is our duty to take care that the colonial Governors do not amongst themselves settle any question with which we ought alone to deal, and equally to take care that a question the decision of which rests absolutely with us should not be referred to the Secretary of State. I say that it would be the most disastrous thing that could happen to us at present, if we permitted any such settlement, or sanctioned any such reference. Let it be remembered that the States it is now attempted, by indirect means, to coerce, and force into one form of government, will soon, from the rapid increase and energy of the Anglo-Saxon race, form a large proportion of the inhabitants of the world; and the form of their institutions is therefore a most momentous question. I do trust that the House, having entered upon the discussion of this question, will not now falter; that the Opposition, having threatened the Government with a vote of censure, will have the courage to go on with it, and will not now shrink in a cowardly spirit from doing what is their duty to themselves and their duty to this country. And, Sir, I hope that the honorable gentleman who gave notice of this vote of censure upon the Government, will himself have the manliness to go on with that which he undertook. If he is truly the representative of the people of Wellington City—if their desire is to abandon their rights and privileges, and to refer to the decision of a foreign authority a matter which the people of the colony ought to decide for themselves—let him have the courage to endeavour to continue to enforce that desire. If not, then let him have the manliness to admit that he has committed an error. If he feels that he has done wrong—that in the step he has taken he is not supported by his constituents—he will but do justice to himself, to those whom he represents, and to the Government, by withdrawing his notice of motion for a vote of censure.

**Major ATKINSON.**—The honorable gentleman entirely misrepresents what I said. I never for a moment would consent to allow any person to interfere with the privileges of this House. I said distinctly that, in my opinion, it was not a question of the privileges of this House, but a constitutional question involved in the relationship between His Excellency the Governor and his Advisers. I shall never be found handing over to any one the privileges of this House, or appealing from this House, as the honorable member himself has done, to the Secretary of State to set aside its doings.

**Sir G. GREY.**—I submit that this is a question which we should settle. The Secretary of State has nothing whatever to do with the relations between the Governor of New Zealand and his

Responsible Advisers: he should confine himself to his own business.

Question put, "That the debate be adjourned;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	38
Noes	...	...	...	...	37
Majority for	...	...	...	...	1

#### AYES.

Major Atkinson,  
Mr. Beetham,  
Mr. Bowen,  
Mr. Brandon,  
Mr. Burns,  
Mr. Curtis,  
Sir R. Douglas,  
Mr. Fitzroy,  
Mr. Gibbs,  
Dr. Henry,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Johnston,  
Mr. Kennedy,  
Mr. Lumsden,  
Mr. Manders,  
Mr. Moorhouse,  
Mr. Murray-Aynsley,  
Mr. Ormond,  
Mr. Reid,

Mr. Richardson,  
Mr. Richmond,  
Mr. Rolleston,  
Mr. Rowe,  
Captain Russell,  
Mr. Seymour,  
Mr. Sharp,  
Mr. Stafford,  
Mr. Stevens,  
Mr. Sutton,  
Mr. Teschemaker,  
Mr. Travers,  
Mr. Wason,  
Mr. Whitaker,  
Mr. Williams,  
Mr. Woolcock.

#### Tellers.

Mr. McLean,  
Captain Morris.

#### NOES.

Mr. Baigent,  
Mr. Ballance,  
Mr. Barff,  
Mr. Bryce,  
Mr. Bunny,  
Mr. De Lautour,  
Mr. Dignan,  
Mr. Fisher,  
Mr. Gisborne,  
Sir G. Grey,  
Mr. Hamlin,  
Mr. Hialop,  
Mr. Hodgkinson,  
Mr. Joyce,  
Mr. Kelly,  
Mr. Larnach,  
Mr. Luak,  
Mr. Macandrew,  
Mr. Macfarlane,

Mr. Montgomery,  
Mr. Murray,  
Mr. Nahe,  
Mr. O'Rorke,  
Mr. Pyke,  
Mr. Rees,  
Mr. Seaton,  
Mr. Sheehan,  
Mr. Shrimaki,  
Mr. Stout,  
Mr. Swanson,  
Mr. Takamoana,  
Mr. Thomson,  
Mr. Tole,  
Mr. Wakefield,  
Mr. W. Wood.

#### Tellers.

Mr. J. C. Brown,  
Mr. Reynolds.

The motion was consequently agreed to.

**Major ATKINSON.**—I move, That the debate be adjourned to this day week.

**Mr. REYNOLDS.**—I should like once more to show the inconsistency of the honorable member for Wellington City (Mr. Travers). He gives notice of a resolution, and then, when a division is called for, so that the question may be taken into consideration, he actually votes against it. I shall move, as an amendment, That the debate be adjourned till half-past ten o'clock this evening. In doing that, I intend to give the honorable gentleman an opportunity to show that he is really in earnest in advocating the censure upon the Government. There can be no question in the mind of any honorable member here

but that, instead of the privileges of this House being guarded by both sides of the House, the members of the Opposition have made this a party question. I am not advocating either one side or the other—either the adoption or rejection of the motion of the honorable member for Wellington City. I do not know that I should agree to any amendment that might be proposed even by the Government, and I do not at the present time say what are my views upon the subject. I shall, however, call for another division, in order that the honorable member for Wellington City may show his consistency by voting with me when I propose that the debate be adjourned until half-past ten o'clock this evening. I trust, if there is some good reason why the debate should not be taken this evening, that it will be adjourned till half-past two to-morrow; and then let us get this question off the Order Paper altogether. I would withdraw my motion if it were more in harmony with the wishes of the House that the debate should be resumed to-morrow.

Mr. GISBORNE.—I hope the honorable member for Port Chalmers will consent, if the honorable member for Egmont will do so, to the adjournment of the debate till Friday next. That will give plenty of time to go on with the Land Bill, and will also enable the House to have its views upon this important question sent by the same mail as His Excellency the Governor is about to submit the question of the constitutional privileges of this Parliament to the Secretary of State. Surely the honorable member for Egmont does not object to our views being sent Home at the same time as His Excellency has his sent. I cannot possibly understand that the honorable gentleman would place the House in a humiliating position, and I therefore hope he and the honorable member for Port Chalmers will consent that the debate shall be resumed on Friday. That will give time for some resolution to be arrived at. If it is agreed with His Excellency the Governor that questions affecting the principles of our constitutional government should be submitted to the Secretary of State, well and good—let this question go by the same mail as His Excellency's despatch goes. But if we do not agree with His Excellency's views, then let our remonstrance go by the same mail. If I can do so, I will move, That the debate be adjourned till half-past two o'clock on Friday, and that the question have precedence at that time.

Mr. REYNOLDS.—I ask leave to withdraw my amendment.

Leave given, and amendment withdrawn.

Mr. REES.—I understand that the leader of the Opposition does not agree to the amendment.

Major ATKINSON.—No. I understand that two members on the opposite side propose to move the previous question.

Mr. REES.—Then I take it that the Opposition, or what stands for an Opposition, have determined that there shall be no expression of opinion from this House sent Home at the same time as the Governor's despatch is forwarded. In

*Mr. Reynolds*

that case the Opposition are not only dragging representative institutions into contempt, but are making themselves personally objects for laughter all over the country; and not one of them who will face his constituents—I know there are many who would never dream of doing such a thing—will be able to justify his conduct of to-night whether he meets them in the course of two or three months or two or three years. But, be that as it may, they should remember that at present they hold a sacred trust from their constituents, and they ought to be careful that they do not surrender the privileges of this House, or, in other words, the privileges of the people. Are the privileges of this House to be handed over to a judge not constituted by this Assembly, and not recognized by the Constitution Act, but who merely has power to appoint a portion of the Government of the colony—the Secretary of State for Colonial Affairs in England? We are not only asked by a majority of one—I should like to know who the one is—

Mr. REYNOLDS.—The honorable member for Wellington City.

Mr. REES.—No doubt the honorable member for Wellington City is a fair representative of the Opposition—a body with no cohesion, without reason in its argument, and which has forfeited every shadow of self-respect.

Mr. SPEAKER.—I think the honorable gentleman must see that he is travelling beyond the question. The question is, the debate having been adjourned, when it shall be resumed.

Mr. REES.—I trust I shall have some other occasion on which to refer to the Opposition, but I hope the House will consent to this matter being adjourned till Friday. It is a very reasonable request, so that the matter may be decided before the mail leaves for England.

Question put, "That the words proposed to be omitted stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	38
Noes	...	...	...	...	37
Majority for					1

AYES.	
Major Atkinson,	Mr. Richardson,
Mr. Beetham,	Mr. Richmond,
Mr. Bowen,	Mr. Rolleston,
Mr. Brandon,	Mr. Rowe,
Mr. Burns,	Captain Russell,
Mr. Curtis,	Mr. Seymour,
Sir R. Douglas,	Mr. Sharp,
Mr. Fitzroy,	Mr. Stafford,
Mr. Gibbs,	Mr. Stevens,
Dr. Henry,	Mr. Sutton,
Mr. Hunter,	Mr. Teschemaker,
Mr. Hursthouse,	Mr. Travers,
Mr. Johnston,	Mr. Wason,
Mr. Kennedy,	Mr. Whitaker,
Mr. Lumsden,	Mr. Williams,
Mr. Manders,	Mr. Woolcock.
Mr. Moorhouse,	
Mr. Murray-Aynsley,	
Mr. Ormond,	
Mr. Reid,	

*Tellers.*

Mr. McLean,  
Captain Morris.

## NOMS.

Mr. Baigent,	Mr. Montgomery,
Mr. Ballance,	Mr. Murray,
Mr. Barff,	Mr. Nahe,
Mr. J. C. Brown,	Mr. O'Rorke,
Mr. Bryce,	Mr. Pyke,
Mr. Bunny,	Mr. Rees,
Mr. De Lautour,	Mr. Seaton,
Mr. Dignan,	Mr. Sheehan,
Mr. Fisher,	Mr. Shrimski,
Sir G. Grey,	Mr. Stout,
Mr. Hamlin,	Mr. Swanson,
Mr. Hialop,	Mr. Takamoana,
Mr. Hodgkinson,	Mr. Thomson,
Mr. Joyce,	Mr. Tole,
Mr. Kelly,	Mr. Wakefield,
Mr. Larnach,	Mr. W. Wood.
Mr. Lusk,	<i>Tellers.</i>
Mr. Macandrew,	Mr. Gisborne,
Mr. Macfarlane,	Mr. Reynolds.

The amendment was consequently negatived.

Mr. STOUT.—Sir, I did not intend to speak again on this question, but an honorable member near me agreed that a compromise should be come to. That agreement, however, the honorable member saw fit to break. I regret exceedingly that the members of the Opposition have thought fit to treat this as a party question. I hear honorable members laughing, but I am not at all surprised at that, particularly at the honorable member for the Thames (Mr. Rowe). That honorable gentleman is quite ignorant of constitutional government, and he is not likely to apply any argument but laughter to a question of this kind. When I first gave notice of this question of privilege I called upon those who might be termed the leaders of the House to stand up for the privileges of the House, not only for the sake of the House, but for the sake of their reputations. Well, what do we see? We see members running about the lobbies and being led about by whips, possessing no mind of their own. And why is this adjournment asked for? Why has it been pressed on with so much eagerness? Solely to get the clauses in the Land Bill which deal with the Canterbury leases passed at once. Last year we saw members telegraphed for to vote upon this question, and a bitter feeling evoked, simply because the Canterbury runholders wished to get their runs on indefeasible leases. A deputation of runholders and property-holders came up specially to urge that upon the House. That is what the adjournment is wanted for now. We saw an honorable member get up, a few days ago, and say that one of the main reasons why he distrusted the Government was that he was afraid the Premier would not give the Canterbury runholders an extension of their leases. That was the gentleman who thought some dire calamity would befall the colony if the doctrine of equal rights prevailed, the meaning of which was that the runholders would lose something which would give to their fellow-colonists what they had a right to claim. I do not wish to charge any one with being a partisan, but the object of these gentlemen goes beyond that of the partisan. It is not the wish to place the honorable member for

Egmont in power that actuates those honorable members. There are many honorable members who, like the honorable member for Wellington City (Mr. Travers), care very little for him, but they are prepared to barter away their independence in this House—for what? To secure the Canterbury leases. What do they care about the Land Bill? Directly they see any provision that tends towards liberalism they vote against it in a block, and so much influence had the honorable member for Timaru over the late Government that he could induce Ministers to go into the lobby against their own Bills. The honorable member for Clive, the honorable member for Egmont, and the honorable member for Kaiapoi were all compelled to follow his lead when he told them some harm would be inflicted upon the Canterbury runholders if the amendment of the honorable member for the Taieri was agreed to. I only hope an opportunity will be afforded to the people of New Zealand to say if they approve of this shuffling conduct. It is contrary to any Parliamentary rule that six or seven members of a House should constantly sway from one side to the other so long as they can carry through their little schemes. I am glad the honorable member for Egmont says "Hear, hear." I should like to know how it is that he can make private bargains with these six or seven men. He has been lobbying for weeks, and promising to carry out certain bargains with these six or seven if his arrangements should prove successful. Sir, this has ceased to be party warfare. It is becoming a mere personal fight, and I only hope the people of New Zealand will have an opportunity of expressing their opinion of such conduct. I do not care if we come back from the country a small minority. I would sooner see eight or ten men bound together upon true principles, having a fixed platform, than I would see a heterogeneous majority, with no defined political creed. I need not allude to the views of particular members in this House. Take them in twos and threes, and what do you find? What are their views on the land question, or the question of the incidence of taxation? They are as wide asunder as the poles. Take any other question of the day, and you will find the same difference of opinion; and yet they ask that this question should be adjourned. Why? Not to preserve the privileges of this House, not to preserve the constitutional liberties of the people of New Zealand, but to carry out a purely partisan and factious feeling. There is no one more anxious than I am to see a proper Land Bill passed; but, from what I have seen in this House, the chances of such a Bill being passed are very remote. Instead of honorable members taking an intelligent interest in the Bill, they come in when the division bell is rung, knowing nothing about the Bill, and caring nothing about it, excepting the Canterbury clauses. They come in and say, "What is the question? how shall I vote?" And they vote as they are told. Then there are other members who take a liberal view of the land question, but they never attend the debates in Committee. Take the case of the honorable member for Egmont. Did he take the



trouble to look after a single clause in the Bill? He was never present. Then there is the honorable member for Wellington City (Mr. Travers). Did he take any interest in it? Or did the honorable member for Roslyn? There were only two or three members of the Opposition who took the slightest interest in the Bill. The rest cared nothing about any part of it except the clauses relating to the Canterbury runs: they were the Alpha and Omega of the Land Bill. But there is an appeal above this House, and, if the people of the colony have this question placed before them, if they are asked whether they will allow a foreigner to interfere in their affairs, if there are to be factious fights in this House, and if members are to be denied their right to have their measures discussed, the answer will be clear and distinct. The people will not allow it. And one man, who has done more for New Zealand than any man in this House, a man who has taken up a firm position in opposition to the landsharks of this country, who has refused to join rings and combinations, who has governed this country with credit to himself in years gone by, is to be ostracized from political life because of his patriotism and his devotedness to the public interest. The honorable member for Selwyn says the Premier is a radical, and that some dire calamity will befall this colony if he remains in power; but I will not take up the time of the House in debating the point further.

Mr. LUMSDEN.—The honorable member has charged some one sitting near him with having broken his word. That is a very serious charge. When the honorable member asked me if I was favourable to an adjournment to Friday instead of Monday, I said I had no objection. But he put the question again, and I said, "If there is to be any talk about it I will not agree." I then went to the members on the other side of the House, and asked why they insisted upon the adjournment till Monday, and I was told that they had the best reasons for it. I was satisfied with those reasons when given me, and I then voted for Major Atkinson's motion instead of for the amendment.

Mr. STOUT.—Before the honorable member went across to consult with the honorable members for Waikato, Roslyn, and Waikouaiti, he told me he would have the courage of his opinions, and would vote for the adjournment of the debate until Friday.

Mr. LUMSDEN.—It is utterly false. I said I claimed to have the courage of my opinions, and was not to be compelled to follow out on every division precisely the views of the party, unless it pleased me to do so. I did determine to vote straight with the party I usually vote with, after the reasons were submitted to me why it was best to do so.

Mr. STOUT.—I can only repeat what I have stated, and I am glad that the honorable member's statement was heard by the member for Waitaki and others.

Mr. DE LAUTOUR.—I think it is hardly fair of the honorable member for Invercargill not to state what his reasons were—those reasons that determined his vote. Although we are not,

perhaps, entitled to be taken into the confidence of the honorable member for Egmont, we ought to know what his reasons are, other than what have been stated in the House, for determining his vote. One may be allowed to draw his own conclusion, and the conclusion I draw is that he desires that the papers shall go Home—that statements shall be made that there is a vote of censure hanging over the Ministers, and that therefore this House has not made up its mind as to whether His Excellency is to blame or not. Well, that is a gospel according to toadyism, and certain honorable members have given in their adhesion to that gospel to-night. I except the honorable member for Wellington City, because he expressed his opinion the other night. I also except the honorable member for Wakatipu, because of his great knowledge of constitutional law. I think the question of adjournment is a very slight matter, because of one speech which we have heard to-night. The Hon. the Premier stood up, and he has given a "Bill of Rights" for this House and this country which, I venture to say, was never heard before in this House in such eloquent and precise terms, and which will remain on record not only to be our guide, but to be our protest in England. I think the matter of adjournment is of very small moment indeed: it has served its turn; it has enabled the adherents of the new gospel to bow at the shrine of toadyism. They have done, and I hope they are satisfied. I think the action taken is hardly a wise action. I hope it may prove to be so; but I fear it will not. I can understand the honorable member for Aron sitting in silence on the opposite side of the House. If it had not been for the question of privileges and the various adjournments, he might have come to the front, taken the position aspired to by the honorable member for Wellington City (Mr. Travers), and might have formed a Ministry. I think there is no object to be gained by this question coming up in the House again, and that the matter of adjournment is of very slight moment. I am quite prepared to discuss the Land Bill, and take the same view I have always consistently taken in opposing the Canterbury clauses.

Mr. WAKEFIELD.—Speaking on the question of adjournment, I would point out that the adjournment of this debate for a week simply means the shelving the whole discussion on the constitutional question. It means this: that the large question—for it is admitted on all sides of the House to be a very large and momentous question—of the relation of the Governor of the colony to this House shall not be discussed at all, but shall be set aside altogether, except in so far as His Excellency shall have an opportunity of representing the matter to the Home Government—that this House is to have no say in the matter whatever; that it shall in no way whatever have its privileges determined; that this Legislature shall have no chance of representing its views even to that tribunal which has been selected by His Excellency as the final tribunal in the matter. I am not going to diverge from the question of the adjournment of the debate, but there

*Mr. Stout*

are one or two points which bear strongly upon it, although they may not appear to have an immediate bearing on the mere verbal question of adjournment. Putting aside all party questions, I was grieved to see men like the honorable member for Timaru departing from that noble part they have taken in the history of New Zealand—to see them voting against the discussion of a question like this in this House. Why, it must be known quite well that, in 1866, 1867, 1868, and 1869, up to the last moment the honorable member for Timaru took a very strong part in resisting the encroachments of the Home Government and the Secretary of State. Mainly on account of his opposition to that encroachment the honorable gentleman was turned out of office, and the honorable member for the Thames (Sir George Grey) was withdrawn from the position of Governor of this colony. How are they to be separated? It was the present Premier who lost his position, that noble position to which he had been invited by Her Majesty under very urgent circumstances; he was dragged from it for the very reason that he resisted the encroachments of the Secretary of State on the Constitution of New Zealand, and the Minister who upheld him in that course lost his position as Premier of New Zealand: that honorable gentleman was the honorable member for Timaru. Will it be denied that one of the main reasons urged against the honorable member for Timaru in 1869, when he left those benches—one of the main reasons urged against the honorable member and his Ministry on leaving those benches—was that they were not in accord with the Secretary of State; that they would quarrel with the Home Government; that we should never have good government in New Zealand until the honorable member for Timaru—who dared to resist the tyrannical encroachments of the Imperial Government—and his colleagues were removed from the position of power which they occupied? I remember quite well that that was one of the great reasons adduced by the honorable member for Wanganui (Mr. Fox) and the Hon. Sir F. Dillon Bell, who now occupies a seat in another branch of the Legislature, that until those honorable gentlemen were removed we should never be in accord with the Home Government. We are aware of the manner in which they defied the Secretary of State to trample upon our liberties; how they dared to speak boldly, and say that they would hold by the Constitution of this colony, and not submit to the *ipse dixit* of a foreign clerk, as it has been well put by Mr. Higginbotham, a leading and able member of the Legislature of a neighbouring colony. For that very reason they were removed from those benches, and the present Premier was removed from the position of Governor of New Zealand. And yet to-night we have the honorable member for Timaru following a servile party into a servile lobby in a servile manner, and for ever throwing away the reputation which he once held as the best exponent of the Constitution of this country and as the boldest upholder of the rights of the colony. I confess that I felt more grieved this night than I have ever felt since first I took a humble share in the politics of this

country at the vote which the honorable member for Timaru has given. I feel that the honorable gentleman and the honorable member for Avon have voted against their consciences to-night; that their votes were simply guided by party feeling and by party prejudice; and that they threw aside by their votes to-night those rights and privileges which will be dear to this country long after the prejudices of the past shall have faded into mere opinions and the passions of the present shall have passed away.

Mr. SHRIMSKI.—I move the adjournment of the House, in order to give the honorable member for Wellington City an opportunity of considering the step he has taken.

Mr. REYNOLDS.—When I addressed the House in the former part of the day on the motion for the adjournment of the debate, I was referring to the remarks of the honorable member for Wellington City on the 5th instant; and, as the motion for the adjournment of the House has opened up the whole question, I now propose to continue my remarks. On the 5th November, the honorable member moved the adoption of the report. Now, what does the report say?—

“That the action of His Excellency the Governor, in noticing a matter in agitation or debate in the House as the reason for refusing to accede to advice tendered by his Ministers, was an infringement of the privileges of the House.”

I should like to ask the honorable member how that tallies with the motion of which he has given notice, and in which he says that Ministers are deserving of the censure of the House. There is no word of censure in that report, or in the remarks of the honorable gentleman. On the contrary, I shall be able to show further on that he perfectly agreed with Ministers that they had done their duty. Then he goes on to say,—

“The Committee were of opinion that a breach of the privileges of the House had been committed; and I think it my duty to endeavour to satisfy this House that it would be justified in accepting the report of the Committee, not as assuming that His Excellency was guilty of a wilful breach of the privileges of this House, but as evincing a determination on the part of this House to vindicate its privileges.”

Again not a word with reference to the Ministry. It is simply that the House is bound to vindicate its own privileges. Then, in referring to His Excellency declining to accept the recommendation of his Ministers, he stated,—

“Something may be said in regard to the publication of those reasons, and to the fact that those reasons were given by His Excellency to his Advisers in connection with the confidential relations which existed between them and himself. But, nevertheless, it appears to me that the very use of those reasons, although strictly confidential, would have amounted to a breach of the privileges of this House.”

That is, on the part of His Excellency, and not on the part of the Ministry. Again, with regard to laying the memorandum of His Excellency on the table, he says,—

“The House is, therefore, by the act of His Excellency himself”—not by the act of Ministers

—“in possession of those reasons; and, being in possession of them, the House is perfectly justified in considering, irrespective of all questions of confidential relations between himself and his Government, whether those reasons do or do not constitute a breach of the privileges of this House.”—

—clearly showing that the honorable member for Wellington City threw the whole blame upon His Excellency the Governor, and not upon the Government. Then he blames His Excellency because he took notice of any debates which were going on in this House, and he says,—

“In dealing with the question submitted to him by his Ministers, he took notice of a debate in this House upon the result of which would depend the fate of his Ministry. The action of His Excellency in adducing those reasons for refusing to accede to the request of his Ministers was, inadvertently no doubt, bringing the weight of his own opinion in regard to the Ministry to bear upon the consideration of the question before this House.”

And yet, Sir, the same honorable member, who made these remarks only seven days ago, is now changing his tactics, and endeavouring to pass a vote of censure upon the Government, instead of, as he then did, on the Governor. Again, he says,—

“This House would have been justified in accepting those reasons as indicative of a want of confidence on the part of His Excellency in his Ministry; and we must not forget that, when a gentleman occupying his high position does in any degree indicate that state of feeling towards his Ministers in so formal a manner as he has done in his memorandum, he is, to a certain extent, bringing the pressure of his opinion to bear on this House.”

So, according to his view, a few days ago the Governor was bringing the pressure of his opinion to bear upon the House as against the honorable gentlemen on the Government benches. That is the meaning of the honorable gentleman's remarks. I have no desire to waste your time, and will quote no further from the honorable member's remarks, excepting this, to show that he did not expect Ministers to resign. There was nothing in his previous remarks on the 1st November which would indicate that it was his idea that Ministers should resign. He says,—

“The question before us is not the refusal of His Excellency the Governor to accept the advice of Ministers. If we were called upon to discuss that question, I think that the arguments of the honorable member for Avon would certainly be perfectly conclusive on the point, and the Ministry could not call upon us to defend their conduct unless they had first placed their resignations in the hands of His Excellency.”

Mr. TRAVERS.—Hear, hear.

Mr. REYNOLDS.—Quite so. The Government did not call upon the House at all to defend their action; neither did the honorable member ever say that they called upon the House to defend their action. The Government, by instruction from His Excellency, laid on the table certain memoranda, and upon those memo-

randas a Select Committee was appointed. That Committee submitted a report, and the honorable member moved the adoption of that report, which certainly bore no censure on the Government; and yet, within seven days of carrying that report, the honorable gentleman now proposes to censure the Government. I must say I congratulate the electors of this Empire City on having such an able representative as the honorable member who has given notice of this motion—a representative who, with a great amount of modest assurance, has the capacity and ability to argue a question from both points of view, and then to argue it in such a way as to convince every member of the Opposition that it is their duty not to allow him to bring forward his resolution at all. And then the honorable gentleman even assists them, inasmuch as he votes with them to burke his own motion. I think, under these circumstances, and seeing that the members of the Opposition have made it a party question, that it would be far better to adjourn the House, and thus stop any discussion whatever on the subject.

Mr. TRAVERS.—I would venture to address a few observations to the House, for it certainly appears to me that the honorable member for Port Chalmers entirely misapprehends the position of the question now before us. I will endeavour, if possible, to make it clear to him. I say “if possible,” because I have already pointed out the position, and the honorable member really does not seem able to understand it. The memoranda of His Excellency were placed upon the table. There were two questions which would naturally arise from them. The first was raised by the honorable member for Dunedin City (Mr. Stout), as to whether or not the Governor, in giving reasons to his Ministers for refusing their advice, had been guilty of a breach of the privileges of this House. That was a question entirely separate from the other, and one which we could discuss, as it appeared to me, absolutely irrespective of the question of the relationship of the Government to His Excellency. The second was the constitutional question raised on the face of these memoranda—arising through this: that the Governor had refused to accept the advice of his Ministers on a point on which they were entitled to advise him. The doctrine with regard to the appointment of Peers in England at present is, that that which was formerly considered to be purely a personal prerogative of the Crown has passed to the Commons of England, and it is through the advice of Ministers, as a rule, that Peers are now created. The Crown does not of its own mere motion exercise its personal prerogative at all. Except in the appointment, it acts invariably on the advice of its Ministers. Now, if the Crown were to refuse the advice of Ministers in England in respect to the appointment of a Peer, there would be a clear constitutional question between the Crown and Ministers, and that question need not necessarily be complicated by anything affecting the privileges of the House of Commons. We will suppose that, when Ministers advised His Excellency to appoint Mr. Wilson to a seat in the Legislative Council, he had simply

*Mr. Reynolds*

said, "Gentlemen, I must decline to take your advice in this matter, and I refuse to make the appointment," without giving any reasons. What would the position have been? It would have been this: that His Excellency had refused to accept the advice of his Constitutional Advisers; and that would have raised purely a question of constitutional conduct as between them. They would naturally have said, "If His Excellency is not prepared to accept our advice on a matter of this kind, we have no alternative but to resign."

Mr. STOUT.—No.

Mr. TRAVERS.—Well, I am supposing they took that course. "If you refuse to accept our advice, we must tender our resignations." If, instead of its remaining a matter of private conversation, as it did in the first instance, between the honorable member for the Thames and His Excellency, the request to appoint Mr. Wilson had been embodied in a written memorandum, and His Excellency had signified his refusal to make the appointment, without giving any reason, that would have raised a constitutional question pure and simple. Nothing else would have been involved in it, and Ministers would have had a right to say that His Excellency was placing himself in antagonism to his Government, and therefore in antagonism to this House, assuming that the Government possessed the confidence of the House. And the Government would have been in this further position: If they chose to retain office they were bound to defend His Excellency. That is the constitutional position. The Governor only appears in this House by his Advisers, and if they choose to retain that position they are bound to defend his action.

An Hon. MEMBER.—No.

Mr. TRAVERS.—The honorable member who says "No" knows nothing of the well-known proposition in constitutional usage in Great Britain. I will quote from Mr. Taswell-Langmead's work on English Constitutional History, in reference to the position Ministers occupy as between the Crown and the House. He says,—

"Under this system, 'the Ministry,' says Lord Macaulay, 'is, in fact, a Committee of leading members of the two Houses. It is nominated by the Crown; but it consists exclusively of statesmen whose opinions on the passing questions of the time agree in the main with the opinions of the majority of the House of Commons. In Parliament the Ministers are bound to act as one man on all questions relating to the executive government. If one of them dissents from the rest on a question too important to admit of compromise, it is his duty to retire. While the Ministers retain the confidence of the Parliamentary majority, that majority supports them against opposition, and rejects every motion which reflects on them or is likely to embarrass them. If they forfeit that confidence, if the Parliamentary majority is dissatisfied, they have merely to declare that they have ceased to trust the Ministry, and to ask for a Ministry which they can trust.' Not the least of the many advantages which have accrued from the establishment of this form of Parliamentary government has been the increased security of the Crown and of its Ministers. The old consti-

tutional maxim that 'the King can do no wrong' is now literally true, for his acts are really the acts of his Ministers; and his Ministers are responsible to the House of Commons not merely, as of old, for any breach of the law, but for the general course of their policy, which must accord with the opinions of the majority of that House, or else, in conformity with a constitutional usage practically as binding as a legal enactment, the Ministers are bound to resign office."

It will thus be seen that Ministers are responsible for the acts of the Crown.

An Hon. MEMBER.—No.

Mr. TRAVERS.—Then I do not understand the constitutional position. Ministers are responsible for the acts of the Crown, and if the Crown refuses to do an executive act upon the advice of Ministers they have only the alternative of resigning or defending that act. The act of the Crown is the act of Ministers, and Ministers are responsible to Parliament for it. Suppose the Governor had not refused to appoint Mr. Wilson, and this House had disapproved of that appointment, I should like to know on whom the responsibility would have rested. The responsibility would have rested with Ministers; and, the Governor having refused to appoint Mr. Wilson, they were bound to defend that act or resign. My honorable friend opposite laughs, but that doctrine is to be found in every elementary book on the Constitution, and I defy any honorable member to produce any work upon constitutional law which contains a single word at variance with what I have read. Had the Crown made an improper appointment by the advice of Ministers, Ministers would have had to defend that appointment, and if the Crown refuses to make the appointment they are bound to justify that refusal or resign office; and that is the course the Government would have taken had they known their position. No doubt, for party purposes, my honorable friend opposite (Mr. Rees) will support the Government, whether they are acting constitutionally or not.

Mr. REES.—No.

Mr. TRAVERS.—Unquestionably my honorable friend is quite prepared to do so, and also prepared to hound down the Constitution if it suits the purpose of his party to do so. I have heard a great many suggestions about party lately, and I would like to read a few passages from the work of a shrewd observer, a man well qualified to judge, a man who has had more experience than all the members of this House put together, and who knows what party means in the greatest Assembly in the world. I am quoting from Lord John Russell; and what does he say? He illustrates what takes place in this House every day, and which, unfortunately, seems to be incident to political warfare. He says,—

"Among the bad effects of party is to be reckoned the want of candour it necessarily produces. Few men can enter into the heat of political contention, backed by a body of friends, who animate and support each other, without attributing to their adversaries bad intentions and corrupt motives, of which they are no more capable than themselves."

I scarcely ever find an honorable member rise on the other side of the House who does not impute the most corrupt motives to honorable members on this side. The speech of my honorable friend the member for Rodney—I do not know what to call him in the multiplicity of the titles he now holds, therefore I must apologize if I have not given him his due title; at any rate, I believe I may call him the Native Minister—the other night was a case in point. I defy anybody who reads it to deny that it is a speech which should never have been delivered. It was redolent with charges of the grossest possible character—charges which I can hardly find words to characterize—against honorable members on this side of the House. He imputed motives thoroughly base, and used the most disgraceful language, telling us “they simply wished to replace gentlemen on those benches for the sake of the pelf they might get and the advantage they would reap from residing in residences rent-free,” and taunted them by saying that if they got back it would be at reduced salaries. Sir, such language is thoroughly offensive, and should never have been used to gentlemen possessing seats in this House. I have no hesitation in saying that there are members on this side of the House as pure-minded and honorable, and as little desirous of possessing themselves of pelf and plunder, as any honorable gentlemen on those benches. In that respect, those honorable gentlemen have no right to use such language. Lord Russell continues,—

“Another evil is, that men become unwilling to give way to the natural bent of their minds, when their understandings would lead them to admit any error upon which their adversaries have insisted, or to render them liable to reproach for weakness and inconsistency. Obstinacy in supporting wrong, because an admission of what was right and true would give a triumph to opposition, has led many a Minister of England into a course most injurious to the country.”

It is the same here, and honorable gentlemen opposite are in no degree exempt from the frailties which have characterized members who have sat on those benches before. No honorable gentleman has a right to impute such motives as are continually imputed from the opposite side. We can spurn such suggestions, and we may gain some little consolation from the belief that, if motives on either side could be examined, we might find that honorable gentlemen on the opposite side are perhaps not so pure as ourselves. I have no doubt that there is more than one honorable gentleman on the Government benches who regrets to hear such imputations cast forth. But I was speaking about the constitutional position, and endeavouring to point out to an honorable member who seemed to know little about the matter, and who quoted my speeches to show my inconsistency, that he absolutely knew nothing of the question at issue. As I said before, if the Governor had refused to make the appointment, and had given no reason for his refusal, the Ministry must have resigned or must have been prepared to defend his action. But the Governor did give reasons, and those reasons,

*Mr. Travers*

as it appeared to me, amounted to a breach of the privileges of this House. But that was entirely independent of—though connected, it is true, with the transaction—the refusal to appoint Mr. Wilson; and we were quite justified in disconnecting the two things for the purpose of dealing with them. Why, at the very first meeting of the Committee, the honorable member for Dundedin City (Mr. Stout) proposed resolutions expressly disconnecting the two things. I call the attention of the House specially to the terms of the resolution. He first proposed,—

“That the Committee proceed to consider whether any privilege of Parliament has been infringed by His Excellency the Governor in his memorandum of the 27th of October, 1877, relative to the appointment of Mr. J. N. Wilson to the Legislative Council, in so far as His Excellency has taken notice of a matter in debate in Parliament, and allowed himself to be guided in his conduct as Governor by such a debate.”

The House will observe the limitation—“in so far as His Excellency has taken notice of a matter in debate.” We were to go no further; but the honorable member, in order to more carefully limit our inquiry, and to prevent there being any possibility of our straying from the object of our inquiry, added this to the motion: “That the Committee do not consider it necessary to proceed to investigate the fitness or unfitness of Mr. Wilson, nor as to any difference of opinion between His Excellency and his Ministers not affecting the privileges of the House.” So the honorable gentleman himself expressly limited the issue to the pure question of privilege arising out of the fact that His Excellency had taken notice of a debate in this House in order to regulate his executive action, though it is true that the honorable member afterwards sought to reverse the resolution. We therefore proceeded to consider the question of privilege, entirely irrespective of any other question, on the honorable member's own invitation. And then, when the report was brought up, we proceeded to discuss the question entirely irrespective of the question of the constitutional relations between the Governor and the Ministry. It was never touched, and indeed was expressly excluded. But, because it was expressly excluded while discussing the question of privilege, do honorable members suppose it was not present to the mind of honorable members? It was present to my mind that there had been a gross violation by Ministers of constitutional usage in this matter, a violation which it was quite justifiable for the House to consider at a subsequent time, irrespective altogether of the question of privilege. I wish it to be understood that I never said one word in regard to the question of the constitutional relations between the Governor and his Ministers. The honorable member for Port Chalmers, who quotes from my speech, chooses to forget everything that was said by the honorable member for Avon. What was the contention of that honorable gentleman? He said,—

“I have risen to a point of order, because I think that this is a question which deserves the fullest consideration at the hands of the House.

As I have said, it is the first principle of constitutional government that the Crown can do no wrong, and that principle seems to me to be affirmed by the fact that the Crown is only known to Parliament through its Ministers. The moment that Ministers cease to be able to defend the Crown, they tender their resignations, in order that others may be appointed as the representatives of the Crown."

In my opening remarks, in the speech referred to by the honorable member for Port Chalmers, I said,—

"The question before us is not the refusal of His Excellency the Governor to accept the advice of Ministers. If we were called upon to discuss that question, I think that the arguments of the honorable member for Avon would certainly be perfectly conclusive on the point, and the Ministry could not call upon us to defend their conduct unless they had first placed their resignations in the hands of His Excellency."

The very first thing I said was that we absolutely refused to consider the question of the position which Ministers occupied either towards this House or towards the Governor, and we confined ourselves to the consideration of the reasons given by the Governor for his own refusal to accept the advice of his Ministers. I never exonerated Ministers in the slightest degree in respect to the course they took. In my opinion they were guilty of a breach of constitutional usage in allowing to be placed on the table of this House that which contained, on the face of it, a breach of the privileges of the House without being prepared to defend the action of His Excellency in respect to the matter. That was unconstitutional, and the first impulse of the Premier should have been to take the course pointed out, and say to His Excellency, "Get other Advisers; and not only must you get other Advisers, but you must get other Advisers who will be satisfied that you are doing right in refusing to appoint Mr. Wilson to the Upper House." What would have been the position of honorable members if His Excellency had accepted their resignations? Ministers who took their positions must have come down and said that His Excellency was justified in refusing to appoint Mr. Wilson. And, with all the party feeling that exists, I doubt whether any Ministry could have come down and accepted that position, particularly as it was mixed up with a breach of the privileges of this House. I am in no degree inconsistent, therefore, in advocating a course for vindicating the privileges of this House, on the one hand, as between this House and His Excellency, having reference exclusively to the reasons given by His Excellency for not acting upon the advice of his Ministers, and then saying, on the other hand, that his Ministers did not occupy a constitutional position in this House in reference to their position. The two things are entirely distinct and separable, and many honorable members who might be perfectly willing to vote for the motion on one point might be perfectly unwilling to vote for the motion on the other point. That was the position. I may state frankly, in reference to the

notice of motion I gave, that I gave that notice with the full impression that the House had ordered the matter to be taken into consideration at half-past seven. I was absolutely under that belief—so completely so, that I went to the Clerk and to the Speaker, because I believed that there had been a mistake in the Order Paper. That is the position in which I stand; but I stand also in this position: that I do not wish to force that motion on the House in opposition to the view of the leader of the party to which I belong. I have been accused more than once, and several other honorable members who have acted with me have been accused, of seceding from the party I belonged to in the first instance. I seceded from that party for this simple reason: that those who asked me to join the party had pledged themselves with reference to one matter, and they broke their words. The one stipulation which I made for my continuance in that party was that the honorable member for the Thames should not be placed at the head of the Government: I stated that distinctly to those who asked me to join that party, and I seceded from them because that understanding was distinctly violated. It is not because I do not wish to see the honorable member for the Thames at the head of a party in this House. There are probably few men who entertain a higher respect for that honorable gentleman than I do. I know that he has rendered great services to his country, and I know, moreover, that his country has been ungrateful to him, and that he has been a victim of circumstances which did him great honor. It has been already said that the honorable member for the Thames has suffered for his loyalty to New Zealand, and I cannot forget, some few years ago when that honorable gentleman was leaving New Zealand, the testimony that was shown to him in this very city. I consider it a disgrace to the British Government that the honorable gentleman should be sitting in this House instead of occupying a far higher position. Everybody knew that the honorable gentleman looked forward to a long career of honor, and he has been very badly treated, as it appears to me, by the Home Government. He has been made very largely the victim of his loyalty to this country. But, notwithstanding that, I do not wish—I have my own reasons for it—to see the honorable gentleman at the head of the Government in this House. That may appear strange and paradoxical, but I cannot help that. I say, again, that it was simply because I received a most distinct and positive assurance—

Mr. REES.—From whom?

Mr. TRAVERS.—From a great many. It was a most distinct stipulation. The honorable member for Avon also joined the party upon that understanding; and the honorable member for Totara was assured—

Mr. REES.—By whom?

Mr. TRAVERS.—By those with whom the honorable member for Auckland City East was working, who were appointed by the honorable member for the Thames to confer upon the matter. That was my reason. I have insisted upon that from the very beginning, but not because

there was any want of respect towards the honorable gentleman on my part. I deprecate charges of tergiversation of that kind. The honorable member for Auckland City East is loyal to his party, and I trust I shall be loyal to mine. It is improper to make isolated extracts from passages in a speech. We can quote from Scripture in a like manner, so as to put an entirely erroneous construction on the language used. I deprecate the extracting of a single sentence from a speech in order to illustrate the particular views of any honorable member. In the speech I made I entirely separated the question of the privileges of the House in connection with the appointment of Mr. Wilson, and I defy honorable members to show that, in anything I have said, I connected the two questions in any degree. On the contrary, I hold that they are entirely separate; and if the honorable gentleman has any idea that I am inconsistent he can think so. It has very little influence upon me. I deprecate altogether this class of attack upon honorable members on this side of the House, where there can be no retaliation.

Mr. STOUT.—The honorable member for Wellington City has referred to what took place in Committee. I think he will see that the position he has taken up in reference to this question is a very peculiar one. The tone of his speech is very different from what it was a few nights ago. He said then that there were "gentlemen and gentlemen." He also said that the Ministry of the day had throughout the whole of the proceedings been guilty of laying a transparent trap to catch His Excellency. He also said that if they had been actuated by any honest feeling they would at once have pointed out that His Excellency had made a mistake. But does he mean to say that anything has come out in the later correspondence that is not in the prior correspondence? Why, Sir, the prior correspondence shows what took place between Ministers and His Excellency up to the date of the passing of the resolution by this House. All the memoranda that passed afterwards, and the motion of which the honorable member gave notice, referred to what Ministers had done prior to the presentation of the report of the Committee, and not since. Well, Sir, if the honorable gentleman held the opinion he now holds, why did he not move the vote of censure upon the Ministry when the report came up? Some of the Committee wished to raise that question. I at once voted with them, in order that the whole matter should be discussed; but he voted against the constitutional position being discussed. He did not wish to touch that; and, in his first speeches, did he think Ministers deserved censure for the position they had taken up? No. But what is the position now? In a speech he made a few evenings ago he censured the Ministry strongly. Why? Because they did not advise his Excellency. But what does His Excellency say upon that point? He complains that his Ministers should have advised him so far. In his memorandum of the 27th October the Governor says,—

"The Governor regrets that, after the opinion expressed by him yesterday to Sir George Grey,

the Government should have considered it necessary to press this appointment upon him, and he can only repeat in a more formal manner what he said yesterday."

There the Governor complains of the Ministry pressing too much advice upon him. In another part of this memorandum His Excellency says that the Government should advise him further in the matter. Then the Governor says, in effect, that the Government, as his Advisers, are responsible for his acts. Well, it is a peculiar doctrine to say that, if the Governor acts unconstitutionally, the Ministry become responsible for his acts. The time may come when it may be necessary to call upon Her Majesty the Queen to remove the Governor, and it would be a most peculiar constitutional doctrine to say that, in such a case, the Ministry, being responsible for the acts of the Governor, should be removed with him. If the Ministry are responsible for the acts of the Governor, why was His Excellency censured by the House? Why were not his Ministers censured? It is a most peculiar thing to punish a man who is not responsible for his actions. Even a murderer, if he be a lunatic, is not punished, because he is not responsible for his acts. Now, I will refer to the peculiar memorandum which I think the Governor will some day regret having written, for, at any rate, it is not logical. The Governor insists that he cannot give any answer to the address of the House until he has referred the matter to the Secretary of State for the Colonies. Does not that raise the whole question? Does the honorable member for Wellington City mean to say that there is anything in this memorandum relating to any other matter than the address of this House? The honorable gentleman goes the length of saying that we cannot punish the Governor without also punishing Ministers. Well, opinions differ. The honorable gentleman begged the House not to consider this question in a party spirit, and he comes down to-night and tells us that he will not proceed with his motion. Why? Simply because he is dictated to by his party leader; he admits in this House that he does not bring on his motion because he has been told not to do so. I should have expected that he would have said this: "I look upon this question as affecting the constitutional rights of the Ministry, of this House, and of the Governor; and I will not be dictated to by the honorable member for Egmont." But, in reality, he now comes down and says, "I have joined this new party, and I will do anything my leader tells me to do." He asks the honorable member for Egmont, "What shall I do? Here is thy servant, ready to do thy bidding." He says this constitutional question is not to be touched. Sir, they have asked us to put this question off, in order that the Governor may send to the Secretary of State an *ex parte* view of the whole question, and this House is actually placed in such a position that neither its constitutional position nor its privileges can be vindicated, simply because the honorable member for Egmont is strong enough to dictate to the honorable member for Wellington City what he shall do. It seems

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to me that the honorable member for Egmont is the representative of Wellington in this House, and that, in fact, he represents two constituencies. And then the honorable member for Wellington City talks about party allegiance. But does he mean to say that party allegiance means that a few men shall lead this House, and band themselves together and say, "We will oust the Ministry; we will join a constitutional Opposition; but we shall not do so from any desire to benefit the colony, nor from a wish to have economical administration—all we want to do is to keep the honorable member for Egmont in office"? Sir, that is a humiliating thing to see in this Assembly. You may search through the political history of the world and not find another such case. The honorable member for the Thames has suffered for the colony; and what did those honorable gentlemen who now oppose him do in 1867? Why, they passed unanimously in this House an address eulogizing the conduct of the honorable gentleman in the highest terms, praising him for what he had done, and regretting that the colony was losing his services. And yet this honorable gentleman is to be ostracized at the instance of half a dozen members of this House. The honorable member for Wellington City talks of party allegiance. Was he not against the Government from the beginning of the session? I say that he was the opponent of the late Government long before this private arrangement to ostracize the present Premier was come to. He disagreed with the views of the late Government regarding Native affairs and the Land Bill; and yet he is one of those who say, "We will join the honorable member for Egmont, even though we have condemned him by our votes as being unfit to manage the affairs of the colony; and we will sacrifice the privileges of the House, and the constitutional position of Ministers, and do everything which the honorable member for Egmont tells us to do." There will be another opportunity of dealing with the constitutional part of the question, so I shall not allude to it now. It is a novel thing to say that, the Governor by his action having thrown the weight of his position in the scale of political parties in this House, and having shown that he has a partisan feeling, the present Government should come down and defend him. I say that if we take no notice of this matter we shall establish a dangerous precedent, and the result of it will be that a feeling of opposition will be caused between the Governor and the honorable gentlemen on this side of the House. If the Governor is to say that as soon as a want-of-confidence motion is tabled he is to cease to be advised by his Constitutional Advisers, we shall soon live under a system of despotism, and we shall no longer have any constitutional Government. I have no doubt that, when the feelings of the honorable member for Wellington City and other gentlemen on that side of the House calm down, they will perceive that they have assumed an improper position. I would ask honorable members to throw aside all party bias in considering this question; but it is hopeless—they will not do so. The honorable gentleman

has read an extract from Earl Russell, to show that that statesman pointed out the dangers of party government, and no doubt this is one of those evils. One can appeal to the decisions of the House of Commons, one can appeal to the decisions of various colonial Legislatures, to show that all parties have united and said, "Whatever we may do amongst ourselves, we will make a stand to prevent any interference with our privileges." I am glad that the honorable member for Wellington City put the case so plainly as he did to-night, for the country will now see that this is not a question of administration, but that the whole question which has raised this agitation against the present Ministry has simply been founded on party feeling. The people will now see that that is the Alpha and the Omega of it. The House is asked to say that the honorable gentleman who is now Premier is to be ostracized by a lot of men who, compared with him, have done nothing for this colony, their only object being that they may get into power and rule the country as they please. I do not wish to comment on the position which the honorable member for Wellington City has taken up; but I think he will find in a few weeks that he has made a mistake. I have no doubt that his views on that point will change from what they are now. Personally, I have a great regard for him, and his position in his profession is recognized by all the lawyers in New Zealand; but it is a great pity to see a man in his position dictated to as to his political conduct in this House by a gentleman in whom a short time ago he declared he had no confidence. I say it is very much to be regretted. I do not wish to comment harshly on the conduct of the honorable member. I feel sure, when his mind is calm, when the heat of contest is over, he will regret the position he has taken up. I am sure it is an untenable one, and it is also one which no party ties ought to have induced him to take up.

Mr. REES.—The honorable member for Wellington City did me the honor to say that I was hounding down the Constitution by the part I was taking in the House. He also made some complimentary remarks in reference to me. I suppose he did it on this principle: that, if he was unable to defend himself, if his conduct was so inconsistent that every one could see it, that those who ran might read it, the best thing for himself to do was to attempt to blacken the character of others, and to bring them as near as he possibly could to the shade which his own political character had taken. I should like to ask him to point out to this House one single instance when I have hounded down the constitutional rights of the Assembly or people; when I have ever given utterance to a word or cast a single vote in that direction; when I have one week accused a man of all sorts of improper conduct as leader of the Government, and the next week followed him into the lobby; when I have brought forward a motion one week condemning one person, and the next week announcing that the fault should rest on the shoulders of others. I would ask him when I have been guilty of toadying to Judges or Governors, or casting out any peti-



tion of rights—the rights of the people; when I have been guilty of any action which could be, by any person within or without this House, construed into an action performed from improper motives. We are safe in this: that those outside this House will gauge the character of those inside; will weigh the conduct of those who have been recently ejected from the Ministerial benches; of those who, when pretending to take the part of one party, were secretly holding communication with the enemy; of those who were determined to cast aside those sentiments of honor which bind men one to another in the House; of those who are like a cork dancing on the waves, or like the feather carried off by the winds; who cannot tell one day what their position will be the next; who may give reasons to-day, but cannot tell what their reasons will be to-morrow. I am very thankful that the honorable gentleman is not with us, as also some other honorable gentlemen, for, whatever we have on this side of the House, we have this: that we are able to trust one another; that, if we have to fight back to back, we are not afraid that those who are behind us will turn round to the enemy and plunge the dagger of the assassin between our shoulders. We are not afraid of that. I am afraid that those on the other side of the House are hardly able to reckon upon their friends. I am afraid that, when it comes to that time when they are absolutely dependent upon the good faith of those in whom they put their trust, that trust will be mislaid, and that they will fall into the mire. Sir, there is one portion of His Excellency's memoranda which seems to be peculiarly applicable to the present case. He says, "The Governor, by the privilege of the House, was not supposed to know what was going on. He had no voice in the House. He was not in any way allowed to explain his conduct, or to produce evidence or precedent in his favour. He could not employ counsel." But, Sir, the honorable member for Wellington City has constituted himself his counsel.

Mr. TRAVERS.—Without fee.

Mr. REES.—The honorable member was the self-constituted counsel for the prosecution, and he immediately goes round and becomes the self-constituted counsel for the defendant, without fee in either case, except that fee spoken of by Goldwin Smith in the article I was alluding to the other night—an article which I would commend to the honorable member's consideration. That article shows how, in all places, there are always about these *quasi*-royal courts persons who become naturally parasites—who become absolutely toadies in the very worst sense of the term. I would recommend to the honorable gentleman the perusal of that article, in which he may learn a very great deal, and he may see reduced to a theory the practice of some persons with whom he may be acquainted. The honorable gentleman deprecated charges. I think that he always deprecated charges in this House. He gets up and immediately deprecates charges, and, hurrying on one word swiftly on the top of another, and before he has allowed a proper period to

intervene between one sentence and another, he immediately begins to make charges against other persons. I must say that I was struck with the remark which has been commented upon by the honorable member for Dunedin City (Mr. Stout). I allude to the charge made against the honorable member for the Thames (Sir G. Grey). History repeats itself. We have heard in this House the honorable member for Timaru pass a eulogium on the very gentleman whom he was opposing as Premier. We have heard the honorable member for Avon do the same thing; and we have heard to-night the last eulogium, passed by the honorable member for Wellington City, upon the honorable member for the Thames. Just the same as in the old Athenian story, the only possible reason any one of them gives for their opposition to the honorable gentleman is, at least so far as the information given by them to the House is concerned, that the honorable gentleman deserves well of his country. They have heard him spoken well of for years. It is exactly the same reason which animated the Athenian citizens against Aristides which seems to animate honorable gentlemen towards the honorable member for the Thames. It would not be correct to impute motives in this House, but we cannot but remember what has taken place during the last two sessions in relation to gentlemen who were members of this House, and who are now members of it. We remember what took place in regard to the honorable member for the Waikato, who was actually declared not disqualified to sit in the House as a member by reason of a contract entered into for 90,000 acres of land, the only reason for exemption being that the contract was illegal. Gentlemen in that position may have good reason for not wishing to see the present Premier at the head of the Government. They may have reasons which are very weighty reasons, which are very strong indeed. And so you may go on. I have heard a very animated speech—an attack upon the honorable member for the Thames—proceeding from the honorable member for the Taieri. It is a well-known axiom that there is never a man so bitter against others, there is never so much animosity shown and spoken by the mouth of any man, as by that of the man who has been a traitor to those who trusted him. These well-known maxims have come out wonderfully true. When a man has sold himself; when a man professes to act with one party and acts with another secretly in the dark; when an honorable gentleman is meeting with one party and is holding up his hands to see what he can get from another; when he is doing this—when he is casting his principles to the winds absolutely careless of principles, careless of the trust which others have reposed in him, careless of their good name; when he gives up everything that other men hold dear in order to enjoy the sweets of office for a short time; when the Nemesis comes upon him; when he begins to think that he has sacrificed the substance for the shadow, he can only look back with a feeling of shame, and look forward without any hope. There are various motives which animate men. I am glad to say

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that the people outside this House, the constituents, will be able to understand the motives which actuate honorable members in the votes which are given here. We have heard a great deal about this question not being treated as a party question—that it is not to be treated as a party question. When it was said to me, “Did not all your party vote on the one side?” I said, “Certainly they did.” There is not a single member on this side of the House who is not prepared to go to his constituents upon that vote; but I should like to know how many members upon the other side of the House will defend the vote which they have given in relation to this matter when they are questioned about it on the hustings. That is the true reason why it has been treated as a party question; that is the true position in which to put the matter. The question is, when a man stands up before those who sent him here to represent them, whether he is able to defend and justify the course he has taken; whether, in consideration of the greatness of the principles at stake, principles which involve the whole of our constitutional government, the whole of the constitutional liberty and freedom of the people of New Zealand, men are prepared reasonably to defend the action they have taken when they are called to account, when they are called to give an account of the stewardship committed to them by the people whom they represent. I assert that every honorable member on this side of the House who voted will reasonably expect his constituents to indorse what he has done; and I do not believe that there is a single honorable member on the other side of the House who will expect his constituents to do the same thing in regard to his vote. We have been distinctly told by the honorable member who first deprecated party spirit being introduced into this question—we have been distinctly told by him to-night that he forbore to bring on his motion because he was compelled so to do by the chief of his party. I was slightly amused at the honorable gentleman. He said that honorable gentlemen on this side of the House accused the others of wishing to get back to office. Now, there may be some small *solatium* in the matter, but it was not right to accuse gentlemen on the other side of wishing to get into office.

Mr. TRAVERS.—It is rather a grave thing to say that the sole motive was to get into office. I deny that altogether.

Mr. REES.—I do not exactly understand the words used. They seem to be placed in a different sense. It was currently rumoured not long ago that the honorable gentleman was engaged in forming Ministry after Ministry, and the only feature common to all the Ministries he planned was that the central star of each succeeding galaxy was the honorable gentleman himself.

Mr. TRAVERS.—That is private history, surely?

Mr. REES.—Private history! It is very illustrious private history, but it is the private history of the representatives of the people, and therefore the history of the people themselves. The honorable gentleman attempts to make and nomi-

nates Ministry after Ministry, and desires to be a member of each himself. Surely it would be well that his constituents should know what price to put upon him.

Mr. TRAVERS.—What the honorable member says is perfectly true; but these matters are usually treated as private. If, however, the whole thing is to be declared in the House, I should have an opportunity of making an explanation. As the honorable member has raised the point, I may say that I was constantly invited—fully twenty times in the last few weeks—to take office with the honorable member for the Thames.

Mr. REES.—I did not know that the honorable gentleman had been asked. I do not know whether the honorable member for the Thames asked him.

Mr. TRAVERS.—If the honorable gentleman wishes to know by whom I was asked, I may say I was asked by the honorable gentleman to whom the honorable member for the Thames is now speaking. I should not have stated this, but the honorable member for Auckland City East is now quoting matters which are usually treated as private.

Mr. LARNACH.—I think the honorable member makes a mistake. I have no recollection of asking the honorable member to join the Ministry.

Mr. TRAVERS.—All I can say is that the honorable gentleman came to my office with the honorable member for Wairarapa (Mr. Bunny).

Mr. LARNACH.—That is true; but I never made any proposal to the honorable gentleman.

Mr. REES.—I am sorry I raised this question. I never knew that the honorable gentleman had been asked twenty times within the last few weeks to occupy a seat on the Government benches. I never had any conversation with the honorable gentleman. I only knew that it was matter of public talk that the honorable gentleman was not content to join a Ministry, but must form Ministries himself, in each one of which he was to have been as the central sun round which they would revolve. The honorable gentleman is always telling us that we are under a misapprehension. We are now under a misapprehension about the motion before the House. The honorable gentleman reminds me very much of a story, which, I think, is known to most members of the House, of a Mr. Williams, of the House of Commons, who did not pronounce his words very plainly. He was going into the House one day with Mr. Glynn, a whip of the Government, who said to him, “Would you like to be a Viscount, Mr. Williams?” He immediately rushed into the House, and cried out “Privilege, Mr. Speaker, privilege!” There was a dead silence for a moment, and then he was asked what question of privilege he had to raise. “Sir,” he said, “the Government want to bribe me; they want to make me a Viscount!” The honorable gentleman is the “Viscount,” and I hope he will be known as “Viscount Travers.” It seems remarkable that the honorable gentleman is always under a misapprehension.

Mr. TRAVERS.—I am under none.

Mr. REES.—Under none! Then I must be

under a great one, for I have heard the honorable gentleman's statement contradicted.

Mr. TRAVERS.—I heard it myself.

Mr. REES.—I am obliged to the honorable gentleman for his statement. He appealed to me very feelingly, leaning gracefully on the books on the desk before him, saying that this was private talk. All I can say is that I never heard it.

Mr. TRAVERS.—Therefore you should not repeat what you know nothing about.

Mr. REES.—If the honorable gentleman will put himself in a ridiculous position, so that men jeer at his making Ministries and saying, "This position would fit the honorable member for Avon, and this position myself, and this would suit somebody else, and that the honorable member for Nelson"—but always to be there himself—I cannot help it. There is not a member of this House so eaten up with vanity and self-conceit, not to mention the small item of voting one day with one party and another day with another, as the honorable gentleman. If he puts himself in that position, is he to say that these matters are not to be debated? Why, he is making a laughing-stock of himself to the whole country. There is not a penny newspaper in the country in the columns of which, if he looks into them, he will not find dozens of cases of privilege in which he himself is concerned, quite as great as, and far greater than, that of the late Attorney-General against Jones, and likely to give as large an amount of satisfaction to the prosecutor. The position of affairs in New Zealand is tolerably interesting at present. The honorable member for Egmont, the leader of the Opposition, proposed the other day that this resolution should be postponed until half-past seven o'clock this evening—I believe he was the honorable member who moved it—and the first thing he does, when the time has arrived for discussing the question, is to move that it shall be postponed for a week. His followers, including the honorable and learned member for Wellington City and the honorable member for the Taieri, implicitly voted that the question should be taken at half-past seven this evening, and those very gentlemen now vote that it shall be postponed for a week. There is no question in their vote about constitutional law, or the rights and liberties of the people. It is impossible to believe that, in the present aspect of affairs, any question, however great the interests at stake, can be discussed without the purest party spirit being allowed to weigh with the honorable members on that side of the House. I am able to say, too, that the people, who are the ultimate tribunal, take the same view, and possibly they will take some method more forcible than polite towards certain public men in showing their appreciation of their conduct. This is not to be forgotten: that the question at issue is a question that interests all of us equally. I should like to know how His Excellency will thank those honorable gentlemen for putting him in the position in which they have placed him. They are putting His Excellency into a most false and disagreeable position. They are putting him into a position which is not a true one, and which, if they are

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his friends, they should not allow him to occupy. The first duty which this House owed to His Excellency, as the representative of Her Majesty and a constituent part of the Legislature of New Zealand, was calmly to discuss this question, and to decide it, not in the spirit of party, but fairly and honorably and justly in relation to the whole matter, and, acknowledging, as the House has already done, that His Excellency had inadvertently infringed the privileges of the House, to have said so quietly and without heat. Those honorable gentlemen should have allowed the decision of the House to have been sent Home, to allow not only the Secretary of State to judge, but the public also; for this matter will not rest with the Secretary of State—it will attract a very large amount of public attention in England; and therefore I say that this House should reasonably and calmly come to a decision, and allow the whole matter to go not only before the Secretary of State, but before the discerning people of the Home country. It cannot be supposed that a question of this kind, raised in an important part of England's Colonial Empire, will be allowed to rest quietly in the Colonial Office, particularly now that the Imperial Government are so much interested in all colonial matters. As the honorable member for the Thames has shown, a very great change in that respect has come over the feelings of the Home authorities within the last few years. People at Home are now doing all they can to draw the bonds between the mother-country and her colonies as close as possible. Is it likely, then, that this question will not be discussed in the leading London journals, and in the principal papers throughout the country? Certainly it will. Persons who are well acquainted with the history of England, and especially with its constitutional history—the great masters of constitutional law—will give their opinion upon the whole of this question; and I say that the majority to-night of "one" have actually placed this House in the position of being dumb in relation to its own privileges when the question comes before those people. Sir, those members have committed a wrong against this House, they have committed a wrong against the Government of the colony, they have committed a wrong against the Crown in refusing to allow the House to discuss the matter and come to a decision upon it. What was the reason? Was there a single reason given? We have had really none. We heard a number of sentences from the honorable member for Wellington City. I might say a flood of words came rolling out of his mouth more swiftly than his mind could guide them. He abandoned the helm, and the words came floating out like boats set afloat in a strong wind on a rapid stream by small boys who know not where they are going or what will become of them. The honorable gentleman's oratory is generally of that character. When he begins to speak he does not know where he is going to, and when he sits down he is quite as much astonished at the result as any other honorable member of the House. It is his usual custom to say one thing to-day and another to-morrow, just as he has done in this matter.

The questions here involved are very grave indeed. There are three or four principles contained in the question which are of vital importance to the colony—that is, if the liberties granted by the Constitution are to be regarded as of any value. There is first this:—

“The Governor, however, cannot admit that their responsibility should be so limited, because, if the act of the Governor is such that the Government cannot accept or defend it, it is their duty to resign, in order that the Governor may be able, if he can, to form a Government who would support his views.”

That is not constitutional law. It is not the views of the Governor that have to be maintained. If it be simply this, that the Ministry are to support the views of the Governor, then this House is not the Government at all. It seems to me, according to all constitutional practice, that the Executive is to tender advice until the Governor cannot take it, not till he cannot agree with it; nor yet that the Government are to fall in with the Governor's views. Then we are told that “this question, as to the extent to which Government are responsible to Parliament for the acts of the Governor, is one which cannot possibly be decided in the colony.” Here is a statement that we cannot decide our own matters. This matter is to be allowed to go Home to be settled, while this House is to be rendered dumb by a majority of one. Then there is another exemplification of the remarkable opinions of the Governor: “The Governor has therefore decided to forward the whole case for the consideration and decision of the Secretary of State.” Sir, this House will not yield to any decision—this country, I say, Sir, will not yield to any decision—that is formed by the Secretary for State on such a matter as this. We are ourselves able to come to a decision, and it is only by a decision of this House that the country will be governed. But yet, while we are told that this matter is to go Home, a majority of one in this House has postponed any action on our part in order that the time may go by during which the House might give an expression of opinion before the documents are transmitted Home by the Governor. Then there is another point. We read,—

“In conclusion, the Governor would wish to state that, in reply to a telegram from himself, he has heard from Sir Hercules Robinson that a precedent, which appears very nearly similar, did occur to Lord Belmore, and that his action was approved of by the Secretary of State. The Governor wishes to place no stress upon this information, as he has not been able to find the case, and does not know how far it may be parallel; but it is his intention, if the case has been published, to request Sir Hercules Robinson to furnish him with a copy as soon as possible.”

I think that this colony and the other colonies should be made clearly aware of the position colonial Governors occupy. If they are to be a close oligarchy, a secret tribunal, responsible to nobody, with only a species of authority held over them, and that a wrongful authority, as was shown by the Premier this evening, and irrespective of the countries which they govern, then

I think that the liberties of the people of these colonies are in a very bad state indeed. The House will do well to take into consideration all these matters, and, sinking party considerations, seek to discover what is best for the people, and what will best conserve and enhance the privileges of the people, rather than curtail them. I feel sorry for the vote taken this evening, and I am sure that the whole country will feel sorry for what has been done. I have no doubt what the verdict of the people will be, and what will be remarked at Home—that it is a pity there were to be found in this Assembly a majority so lost to every sense of what was due to the constituencies as to close up the mouth of this Assembly in order that it might not be heard on a matter so vital to its interests as this is. If this matter is to be postponed for a week, it cannot be supposed that there is any chance of a fair and full decision being come to at all. I presume that that is the intention; and it is as well that the House should adjourn and shelve the whole matter, so that it may come forward in a fresh form. I shall not remark upon the motion contemplated by the honorable member for Wellington City, because he seems to have abandoned it. I do not know why—whether he thinks it is not a proper motion, or whether he thinks he could not carry it—but he has postponed it at the bidding of his chief. I regret that the whole question has not been discussed, because I do not think it has been raised in the colonies before. I do not know of any instance later than the American colonies, when they not only declined to allow Secretaries of State to interfere with their deliberations and infringe their powers, but refused to allow the English Parliament to do it. The men in those Assemblies did not close their mouths. No; they risked their lives and their properties to preserve their liberties. Let us suppose that the majority which to-night voted had been in the Assembly, say, of Massachusetts, would the people of America ever have been freed from their burdens? I trust the time is shortly coming when we shall go forth for the decision of the people upon these and other matters which agitate the public mind. I hope we shall be able to appeal to the constituencies, and do away with the personal animosities and dislikes in this House, and get rid of certain parties who are possessed of an insatiable desire to get back into office. The attitude taken up by ex-Ministers since they resigned their seats has been remarkable, with the exception of the case of the honorable member for the Taieri, who has attempted to do some work, and to give time and consideration to business, as well as to give Ministers the benefit of his deliberations. What has the honorable member for Egmont been doing? His occupation has been a series of attempts to write motions of want of confidence in the Government. He consults the ex-Attorney-General, and studies the Standing Orders and May's “Parliamentary Practice”—he will be quite a constitutional lawyer directly—but that is all he does. As for being of any use, why, the Assembly might just as well be without him. He just goes far enough to show that

he would bite if he could; but he cannot do that. He has not been able to get his illustrious "No. 3" on yet, and it strikes me he will not be able to get it on for a considerable time yet. Still he goes on earnestly in his work of drawing up notices of motion; and that is all he does. I hope the people of New Zealand will take notice of all that these gentlemen have done since they have been out of office, with the exception of the honorable member for the Taieri. I do not believe they have spoken upon any subject except it has been against the Ministry. I do not believe they have done anything except to support any vote which would retard business and harass the Ministry; and this is the work of representing the people. If they cannot get into office they will do nothing. Sometimes, as the other night, the honorable member goes so far as to say he will stop all business; but he was afraid to carry out that threat. I would not make threats which I had not the courage to carry out. I would not say I would do anything before I was prepared to do it. But he knew that if he attempted to stop the Land Bill he would find boisterous weather among his own party. The country is thoroughly weary of this work. The country desires absolutely either that the present Ministry shall be allowed to finish the work and prorogue the House, or that the House shall be dissolved and that we all shall render an account to our constituents. I am afraid some will not come back. For instance, if report be true, the honorable gentleman opposite will not again represent Wellington City. I hope we shall go to our constituents. Whatever we on this side are afraid of, we are not afraid of meeting our constituents; we are not afraid of that tribunal. We have done what we could to benefit the country, and we are quite ready to go on in our present course without selfishness. We are prepared to do as much as we can, and, if the honorable gentlemen opposite can say that, I have no doubt that they will meet with the same reception from their constituents as we shall from ours. I hope the adjournment will be agreed to, and that this matter will be shelved, so that it may come before us in another form.

Mr. TRAVERS.—I should like to say a word by way of personal explanation. I made it my business, since I spoke, to see Mr. Bunny, who, in the presence of four other gentlemen, quite confirmed my statement.

Mr. LARNACH.—I can only say that on one occasion, in company with Mr. Bunny, I went to see the honorable member; but neither Mr. Bunny nor myself made any proposal as to offering him a place in the Ministry. I do not know of any proposals being made to him on any other occasion.

Mr. SUTTON.—If in the course of a few months we have to face our constituents, I think that the issue will be decided upon a much larger question than this paltry privilege question. The people are sick and tired of it. As to the privileges of the House having been invaded, it is all nonsense, and no one knows that better than the honorable member for Dunedin

Mr. Rees

City (Mr. Stout). I like consistency. I have heard the honorable gentleman at the head of the Government, and the Native Minister, and others declaim in unmeasured tones against referring this matter to the Secretary of State for the Colonies; but I find that those honorable gentlemen were the first to suggest a reference to the Secretary of State. That will be seen by enclosure 4, page 8, of A.-5 of the Parliamentary Papers. Honorable members may laugh, but it will be found that the document is dated the 7th November, and that is the earliest date of the services of the Secretary of State being called into requisition. It was the Government, and not the Governor, who suggested the reference to the Secretary of State. I have already stated that this is a very paltry matter to waste time over. I am one of those who do not agree with the action of the Committee. I do not think the matter should have been gone into in the way in which it was gone into, and I find that my opinions are borne out by the papers before the House. The Governor says in No. 3 that the paper was presented to the House solely upon the advice of Sir George Grey. Therefore the Government are solely responsible. I trust the adjournment will be agreed to.

Mr. GISBORNE.—I have no wish to enter into the discussion of the main question at this late hour. I merely wish to correct a statement of the honorable member for Auckland City East, who said that there was no precedent of a Legislature having remonstrated on an analogous subject since the days of the declaration of American independence. I hold in my hand the Votes and Proceedings of the Legislative Assembly of New South Wales, in which I find that on the 22nd May, 1874, an analogous question arose about the appointment of members of the Legislative Council. A question was moved, on the motion of Mr. Foster,—

"That this House is of opinion that any attempt on the part of any Governor of this colony or of any Secretary of State in Great Britain, whether by despatches or instructions, or otherwise, to interfere with the appointment of members of the Legislative Council of this colony, or on the part of any Minister of the Crown in this colony to sanction such interference, so as in any way to limit or restrain the power of the Government of this colony in such appointment, or to permanently limit the number of members of such Council, or to confine such number to a fixed standard, is contrary to law, and subversive of the rights and privileges of the Government and Legislature of this colony.

"That the above resolution be transmitted by address to His Excellency the Governor."

"The House divided—Ayes, 19; noes, 13.

"And so it was resolved in the affirmative."

I wish that this House had an opportunity to vindicate its position in a similar manner previously to the departure of the mail. If the honorable member for Wellington City does move his motion, I should like to move as an amendment a motion embodying the substance of the resolution of the Legislature of New South Wales. The honorable member for Egmont seems deter-

mined that the motion of the honorable member for Wellington City shall not come on, and by a majority of one he has been enabled to carry that determination into effect.

Mr. REES.—I did not say that there was no analogous case as to the appointment of a Legislative Councillor and the proceedings consequent upon that. I said that there was no precedent for referring the matter to the Secretary of State.

Mr. JOYCE.—It would be well that the motion for the adjournment should be carried, and the motion disposed of once and for all. The House has already declared that His Excellency has committed a breach of the privileges of the House, and, having done that, the matter was at an end so far. I agree with the honorable member for Wellington City, that the question is now divided into two parts, and I look upon the second part much in this light: French cooks are able to make, out of a very tasteless material—the white of eggs—a compound called *omelette soufflée*, a dish which has a very substantial appearance, but which is simply froth. The honorable member for Wellington City is an adept at making *omelette soufflée*. No earthly good can result from pursuing the matter further. If His Excellency the Governor chooses to refer this matter to the Secretary of State for his own gratification, well and good; but the House has already decided what it will do. Unfortunately, when the House decided that His Excellency had committed a breach of its privileges, it did not feel itself in a position to do what it would do in the case of an ordinary citizen. It could not treat him as it treated Mr. Jones. It could not bring him to the bar of the House. The first part of the proceedings was an impeachment of His Excellency's conduct; but there seems to be no precedent which would justify us in inflicting punishment upon His Excellency. The House appears to have been content with having declared His Excellency guilty of a breach of its privileges. It had to stop there, because it had no means of further enforcing its power. His Excellency admits that he has been guilty of a breach of the privileges of the House; and there that matter must end, unless the House sends Home an address to the Crown for his removal. Possibly that would be an extreme course to pursue, and I think the matter may as well be left at rest. I shall not discuss the main question further than to say that there would have been no necessity for any further interference by this House if His Excellency had not given reasons for refusing to nominate Mr. Wilson to the Legislative Council. These questions of breaches of privilege are troublesome matters to deal with, and the House always has in the end to drop them in some unsatisfactory manner. The least unsatisfactory solution of the question would be to adjourn. The House will have vindicated its privileges so far, that His Excellency is not likely to give it any further trouble, after having received something in the nature of a reprimand.

Mr. REID.—I think this small matter has been very much magnified. I do not think it is so formidable as to threaten the liberties of this

Parliament to the extent some speakers on the opposite side seem to imagine. The question has taken two phases. The first is the action of the Ministry in recommending such an appointment, which I think at the particular time was censurable. I think the Ministry the leader of which had been very inquisitive as to whether there were to be any additions to the other branch of the Legislature belonging to a party some of the members of which are of opinion that the constitution of that body is not satisfactory at the present time, and that some alteration should be made in it—I think it was not a proper act on their part to recommend the Government to make an addition to the Legislative Council, especially at a time when a want-of-confidence motion was pending. If it was proper under such circumstances to appoint one member, it would be equally proper to appoint twenty members; but at such a time it was not proper. The next stage is the publication of the correspondence, and in respect to that it cannot be said that the Governor is responsible, seeing that he acted on the recommendation of his Ministers; and to my mind this was the position which Ministers should have taken up: Either they should have been content to waive the question of making the appointment to the other branch of the Legislature, or, if they were not content to waive that appointment, they should, in laying the correspondence on the table, have intimated that they had tendered their resignations, and that they only held office until their successors were appointed. They should have adopted one of those two courses. If there was such a breach as to justify the resignation I believe the Government would have resigned, knowing well that this House would support them. Honorable members may be sceptical upon that point, but I say that, no matter what was the state of party feeling, I, for one, should have supported them if the privileges of this House had been invaded. I am confident that if there had been any serious violation of the privileges of this House on the part of the Governor the Government would have taken up that position; but they did not take either of these courses, and consequently their action up to that point deserves censure. But when it comes to the question whether this Parliament is to determine its own privileges, or whether they are to be determined by the Secretary of State, I say that the Parliament will determine its own privileges, and if any attempt is made to interfere with those privileges the House will rise, I believe, as one man, and resent it. Much has been made of the reference of this matter to the Secretary of State for his decision. I do not understand that to mean that the action of this House is to be fettered in any way. If it does, it will soon be found that the House will not quietly submit. The Secretary of State may instruct the Governor as to what his position is to be in these matters. I am sure, however, that he will not, in giving his opinion, lay down any rule for the guidance of this Parliament. Much has been said—and I must say that I fail to see the force of the argument, coming from the quarter from which it does come—regarding the

interference by the Secretary of State with this Parliament. I agree that there should be no interference on the part of the Secretary of State, but I ask the honorable member for Dunedin City, and the other honorable gentlemen who say so much on this point, how they reconcile their present action with the fact that they agitated to send Home a petition to the Secretary of State praying for his interference in relation to the deliberate action of this Assembly on the Abolition question.

An Hon. MEMBER.—That petition was to be sent to the Queen, and not to the Secretary of State.

Mr. REID.—That is a mere quibble. The petition would have gone to the Secretary of State. I understood that at a convention which was held it was decided that the Home Government should be asked to interfere to prevent the decision of this Parliament in regard to the abolition of provinces from being carried into effect.

Mr. STOUT.—No. There were two petitions to be sent Home. One of them prayed for the creation of Otago into a separate colony, and the other for the removal of the seat of Government.

Mr. REID.—The object of the petitions was to get the Home Government to interfere with a decision of this Parliament. I was at the convention, and I was greatly astonished to hear gentlemen, who are now sticklers for the privileges of this House, talking about getting an outside body to interfere with our local affairs. I am glad, however, to perceive that they have now seen the error of their ways, and are prepared to adopt a more constitutional course, by declining to allow any outside body to interfere with the action of this Parliament. The honorable member for Auckland City East has undoubtedly sung the song of the swan to-night. He sang melodiously. He sang to the constituencies the praises of himself and the party to which he belongs, and no doubt many who were not here to hear him will read those praises in the pages of *Hansard*. They will see how those honorable gentlemen have stood up for the interests of the people, and how ungrateful that people will be if they do not see justice done to them at the forthcoming elections. The honorable gentleman has also expressed his opinion of those who do not see things in the same light as himself. He holds that all such persons should be ostracized from this Parliament, and that their places should be taken by men who would be led by the honorable gentleman and his chief the honorable member for the Thames. I think that it is just possible that the public may have taken the measure of the honorable member, and perhaps they may not have formed so high an opinion of the honorable gentleman as he himself holds. It is possible that they may form a different estimate of him, and that he may not stand so high in their esteem as he imagines he does. I hold that it is our duty to act according to our convictions. We should not allow ourselves to be influenced by apprehensions that what we do will not be thought well of outside this House, and I believe that those who allow themselves to

be influenced in that way will find themselves in the wrong. I will not refer to the personal allusions which the honorable gentleman made to me. I am quite content to leave my character and my dealings to be judged by the public. I have served the public for some time, and, if it be that they judge me at the estimate which the honorable gentleman places upon me, I cannot help it, and I shall offer no objection. If the public think it is time for me to retire into private life I am quite ready to do so, and perhaps it would be to my private interest to do so. I endeavour not to make personal allusions regarding any one, and I think it would be wise for all of us to follow that course. The honorable member for Auckland City East has said that I attacked the honorable member for the Thames in a bitter manner. Well, I am not aware that I attacked him; I combated arguments which he had used, and the only portion of my remarks that was not in reply to his arguments was that referring to the constitutional position of the Government in refusing to take the sense of the House as to whether they have a majority or not; and in that I made no personal attack. If I am not as smooth a speaker as the honorable gentleman, I regret it, but I say that I am not actuated by any personal feelings against the honorable member for the Thames or any other member of this House. In fact, I do not allow personal feelings to influence me in this House at all. In conclusion, I will say that I think we have wasted a great deal too much time over this matter. The liberties of the Parliament are not at stake. The Parliament has certain liberties and privileges, and if any attempt were made to interfere with them I think we might safely leave the House to deal with them. If the Government think there is an important constitutional question, involving the freedom and privileges of this Parliament, at stake, and that they have not been treated properly by His Excellency, they should tender their resignations, and, if it were found that they had just cause for complaint, no doubt this House would assist them in maintaining its privileges. Until they take some action of that sort, we cannot think that there has been any infringement of the liberties of this Parliament.

Sir G. GREY.—I should like to make a short explanation. I may say, first, that the honorable member for the Taieri spoke, in the early part of his speech, like a man—nay, more, like a free man—and I was extremely glad to hear him say that this matter should be decided by ourselves. I wish to refer to the inconsistency which he alleged was shown by us in regard to this matter. It is quite true that my friends and myself did propose to appeal to the Crown upon one subject. We hold all our privileges here under an Act of the Imperial Parliament, which gives to the General Assembly certain powers over other Legislatures; and the question was, whether this Assembly was acting beyond its powers and oppressing others—whether, in fact, it was breaking the Act of the Imperial Parliament. To have attempted to have settled that question ourselves must have given rise to serious disputes; but it was a totally different question from the

Mr. Reid

one which has now been raised. The honorable gentleman himself must see that. I do not think there is anything else in the speech to which I need allude. I may say that I make no complaint regarding any observations the honorable gentleman has ever made with respect to myself. I endeavour always to refrain from wounding the feelings of any honorable member, and any remarks the honorable member for the Taieri has made in reference to myself I look upon as if they were in answer to arguments of my own. I shall always listen carefully to any reasons he may give in opposition to my views.

Mr. J. C. BROWN.—I am glad the honorable member for the Taieri considers this a very small matter, and I hope the House will treat the motion of the junior member for Wellington City (Mr. Travers) as one of very small importance. I trust the honorable member for the Taieri will be found voting on this question as if it were a very small one. If it is such a very small question, why should we adjourn it for a week? Why not dispose of it to-night, and proceed to the business of the country? We have been taunted by the ex-Premier for going on with the business of the country while a motion of want of confidence was pending, and now that honorable gentleman desires that we should have two motions of want of confidence before us while the work of the House is going on. Sir, in defiance of the opposition of the ex-Premier, we on this side of the House are determined and will continue to do useful work and bring the session to an early close. We have also heard the honorable member for the Taieri say that, in the action for the liberty of Parliament, the better plan would have been for the Ministry to resign, when he would have defended their position. It is quite clear that the only object of those gentlemen opposite is to get back to the emoluments of office. Anybody who watches the ex-Premier can see that he is ready to grasp at whatever comes in his way. That is evident to any one who has watched the part he has taken in this debate, or on the land question with which he has so unworthily taunted us as trying to keep back. When we were in Committee on the Land Bill a few nights ago, did the honorable gentleman take any part in our deliberations? Was he watching the progress of the Bill? No, Sir; he was studying the Standing Orders, trying to find some loophole to bring through his no-confidence motion; rushing about after the honorable member for Waikato to draft some other motions of want of confidence for him; then taking it round among honorable members, trying to induce them to approve of it and support him. I think, with the honorable member for the Taieri, that this is a very small matter, and the sooner it is disposed of the better. Unless this is at once done the business of the country must be delayed. I shall support the adjournment of the House.

Motion for the adjournment of the House agreed to.

The House adjourned at a quarter to one o'clock a.m.

## LEGISLATIVE COUNCIL.

Tuesday, 13th November, 1877.

Third Reading—Public Reserves Bill—District Railways Bill—Strath Taieri Railway Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

### THIRD READING.

Dunedin Loans Bill.

### PUBLIC RESERVES BILL.

The Hon. Colonel WHITMORE, in moving the second reading of this Bill, said its object was to vest in local bodies the various reserves throughout the colony, and he hoped that when it was in operation there would be fewer small local Bills than at present coming up to the Council. One of the leading peculiarities of the Bill was that it proposed to allow trusts to be registered in the Land Transfer Office. There was also provision in the Bill under which, if necessary, the General Government might resume possession of any reserves, paying for any buildings that might be upon them. All reserves handed over would be subject to that right, and the increment in value would not be reaped by the local body as against the Crown. The necessity for this Bill was so apparent, and its provisions were so simple, that he made no apology to the Council for saying no more in moving its second reading.

The Hon. Mr. HALL was exceedingly glad to see this Bill introduced. It supplied a very serious public want, and would, he hoped, release a great many reserves, for recreation and other purposes, which were now practically shut up, and could not be dealt with. The passing of this Bill would be a great advantage, but there was one clause in it which he thought was open to serious objection. He referred to clause 13, which provided that the trusts upon which the reserves were granted to Commissioners or other bodies were to be registered in the Land Transfer Office. Now, that was an entire innovation, as he understood it, upon the principle of the Land Transfer Act. The question had been very frequently discussed, in the Council and elsewhere, by persons who took a great interest in the system of land transfer; and by all the best friends of that system the registration of trusts had been pronounced to be exceedingly objectionable. He hoped, therefore, that, either now or at some future time, the Colonial Secretary would favour be prepared to give some strong reasons in of this proposed alteration: if not, he would feel it his duty to oppose that part of the Bill. The measure, as a whole, he took as a very great boon.

The Hon. Sir F. DILLON BELL said he could not give his consent to the proposal in the Bill for registering trusts. It was a fundamental condition of the Land Transfer Act that trusts should be rigidly excluded. The same principle existed in the inscription of trust stock. The Bank of



England would not recognize trusts, neither would the Grand Livre in France. If the Legislature once allowed public bodies to have their trusts registered, it would be unable to resist the pressure which trustees would bring to have private trusts registered. He could not see any reasons for registering public trusts which would not equally be found to affect private trusts, nor did he see why the safeguards which were provided against registration of private trusts under the land-transfer system were not equally applicable against the registration of trusts in the case of public bodies.

The Hon. Colonel WHITMORE said he had specially drawn the attention of honorable gentlemen to the 13th clause, because he was aware that many members had opinions on the subject, and it was not right that it should be introduced without its being pointed out that there was a proposed deviation from the existing practice. But, far from understanding that it was one of the advantages of the Land Transfer Act that trusts should not be recognized, he had always understood that it was the one main objection to that system; that it was a recognized flaw in an otherwise advantageous piece of legislation; and the honorable gentleman, if he took a little pains, would find that, to get over that difficulty, and to remove that objection to the Land Transfer Act, there had been numberless proposals made. The fact of the absence of a provision for the recognition of trusts had been in itself an admitted flaw, opening a door to fraud; and the only justification for it, or the only ground upon which it had ever been defended, was that it was impossible to maintain the extreme simplicity of the land-transfer system compatibly with such a recognition of trusts. The sole reason against a recognition of trusts which had any real weight was that it would involve so much of what, for this purpose, he would call red tape—so much more writing and parchment—as to do away with the simplicity of Torrens's Act. As against the Government, and to the limited extent that the Government would make use of this system, that objection could hardly hold good; it was rather theoretical than practical, the plan never having been fairly tried. The Land Transfer Department made no objection to this proposal. Although it did not absolutely originate with them, still from the very beginning they had been cognizant that it had been suggested, and had declared themselves quite willing to give it effect. He was speaking of the Land Transfer Department of this colony. The Government trusts would probably be exceedingly simple, and the system of registration of trusts might be tried in its least objectionable form. That was the reason for making this provision. It was one as to which honorable gentlemen could exchange ideas in Committee. If they could not agree, of course it must be excised from the Bill. But it was considered to be well worthy of suggestion, and he was desired to say that it was one which the department itself saw no difficulty in carrying out.

Bill read a second time.

*Hon. Sir F. Dillon Bell*

## DISTRICT RAILWAYS BILL.

### ADJOURNED DEBATE.

The Hon. Mr. HALL.—I move, That the Bill be read a second time this day week, in order to give the Colonial Secretary an opportunity of speaking again. That something in the direction of this Bill is required I am very strongly of opinion, but whether the Bill as it now stands is such a Bill as the Council should pass is fairly open to question. The Bill allows any company to propose a railway district, and also the classification of lands in that district into divisions which will receive greater or less benefit from the construction of a railway. The votes of the ratepayers are then to be taken upon the question whether a railway shall be made in the district under terms of the Act, and if there is a majority in its favour the railway will be made, and the land in the district will be charged with a rate which will be sufficient to pay 5 per cent. on the cost of the railway for twenty years. That branch railways should be made in parts of the country in which main lines are not likely to be constructed, and that they should be made with the assistance of a guarantee to be collected from rates on the land, is, I think, a reasonable principle; but I ask honorable members to consider whether, as the Bill now stands, it would not place it in the power of persons holding, say, one-tenth of the property in the district to saddle a rate on the remaining nine-tenths. I know districts in which a majority of the ratepayers hold only one-twentieth part of the land in the district. There are a number of small occupiers, upon whom the rate proposed to be levied would be extremely light, and it would be in their power to saddle nineteen-twentieths of the property in the district with a rate, even though the owners of that property objected to the construction of the work. It seems to me that that would be unjust. There ought to be the assent of something like a majority both in number and in value. There are one or two other objections to the Bill. Power is given to the County Councils to undertake the construction of these district railways. Now, if such works are to be undertaken at all by the counties, they ought only to be undertaken after further steps have been adopted than are here provided for for obtaining the consent of the owners of property; otherwise this Bill might be made a means of very great oppression. I shall not vote against the second reading, but I hope we shall hear from the Colonial Secretary that the present Government are willing to introduce considerable modifications in its details.

The Hon. Colonel WHITMORE.—The chief feature of this Bill, as distinguished from another Bill which has been for some years nominally in operation, is the guarantee proposal. The guarantee, honorable gentlemen who have read the Bill will understand, refers to a guarantee by the Government of 2 per cent., and 5 per cent. by the localities through which the railways will pass. That 5 per cent. is provided by rates. Those rates were not provided in the former Act, because there was no guarantee. Classification for rates is another novel feature in this Bill.

There is also in this Bill a limitation of time allowed to the Government to make up its mind to purchase or not purchase. There are greater facilities than existed in the former Bill for borrowing. A company under this Bill can mortgage the undertaking, its rights as well as its property; while under the old Act that was not allowed. Ratepayers formerly voted on the question only of the permission for a railway to go through a district. Now they will vote as to the merits of the undertaking. With regard to the voting power to which the honorable gentleman has alluded, and to which I drew attention myself in the remarks I before made to the Council, there is a great deal to be said. But we cannot have everything as we would like to have it in this world, and I am almost afraid that we should find it impossible to bring about any very startling innovation. Honorable gentlemen will see, however, that the same vote is allowed under the 14th clause as can be exercised under the county system. I am aware that there are small towns which contain a very large number of errant inhabitants who live in tenements which perhaps they lease for six months only, and who, nevertheless, have a qualification which entirely overbalances the voting power of the part of the district which will be permanently affected by the railways. I would be prepared, at all events, to have a provision inserted in the Bill to the effect that a considerably longer leasehold would be necessary to entitle a voter to exercise his voice in regard to placing a permanent burden on the district in connection with the railway. I hardly see my way to initiating a totally different system of plural voting. I am afraid it would be only a waste of pains to attempt to do so, because we have almost no chance of obtaining the concurrence of the other branch of the Legislature in any such proposal. However, the Government will support a proposal that there must be greater permanence of occupation to entitle a voter to vote for a district railway. At this period of the session I cannot myself undertake to introduce a Bill placing rural townships on another footing, and taking them out of a general voting for county concerns; but I hope to be in a position to do so at some future time. Such a measure would remedy the glaring disproportion which now exists between the voting power of townships not municipalities, and the rest of the districts, which will really have to pay the rates, at all events as regards matters of this kind, which are not to be altered from year to year, but may last to the end of all time. Some amendments in the Bill will be necessary in order to allow a railway, called the Kaitangata Railway Coal Company, to come under its operation. The Company wishes to take advantage of its provisions, and there is no reason why it should not do so. In glancing over the Bill, it will be found that a great portion of it is transcribed from or is based on the provisions of the Public Works Act for taking land, and so on; and there is nothing in the Bill which conflicts with the provisions of that Act. The permission to occupy Crown lands is only a permission to occupy. It is not an absolute gift; it is merely

a right to occupy so long as the railway continues to run. Clause 49 contains a provision relating to borrowing, which was absolutely necessary, because it is impossible without it to obtain an overdraft at the bank. Provision is contained in clause 81 by which, to a certain extent, a district will share the profits of the company through the reduction of the rates when the amount of the guarantee is obtained from the profits; and clause 82 provides that those rates are to be collected half-yearly. There are two sorts of companies—companies with guarantees and companies without guarantees; and I hope honorable gentlemen will pay attention to that distinction. Clauses 93 and 94, which were referred to by the Hon. Mr. Hall, will require some verbal amendment, and will also, for the sake of convenience, be placed after clause 89. I should like to hear the views of the Council upon those clauses. They were, if I am not misinformed, inserted in the Bill in its progress through Parliament. Honorable members can correct me if I am wrong in that, but I think they do not necessarily belong to the scheme. They can be removed or allowed to remain without spoiling the scheme in any way. When we come to consider that subject in Committee, I shall point out to what extent the Government would wish to retain any of these miscellaneous provisions. I hope the Bill, after being amended where amendment may seem to be necessary, will be passed by the Council. I believe that it will do a great deal of good in some districts, and I, on behalf of the Government, should certainly not wish to object to any reasonable proposals which may tend to make the Bill beneficial in its operation to all parts of the country.

The Hon. Captain FRASER.—It was with much doubt that I made up my mind to support the second reading of this Bill, because I have a strong objection to guaranteed lines of railway. They have been found to be ruinous failures elsewhere. The country is to be saddled with 7 per cent. on the cost of the lines constructed, while the Government could make the lines for 5 per cent. There are several clauses in the Bill which I shall consider it my duty to get expunged in Committee. The 4th clause either means nothing, or it means a great deal too much. I can get no explanation from any one as to how this clause got into the Bill. It contains a provision of a sort which this Council has always objected to—that is, its retrospective action, and it confers certain advantages upon persons who never expected them.

The Hon. Colonel WHITMORE.—How?

The Hon. Captain FRASER.—It will bestow advantages upon the Ocean Beach Railway Company which that Company never expected. The Colonial Secretary says the Kaitangata Railway Company is also to be brought under this portion of the Act. That railway was made for the purpose of communicating with a coal mine, and was made through a swamp by certain gentlemen who had land in the swamp. The land has been doubled in value, and they have been well paid for it; and why should these gentlemen, many of them men of considerable wealth, obtain ad-

vantages which they never expected to get when they made the line?

The Hon. Colonel WHITMORE.—What advantages?

The Hon. Captain FRASER.—A permanent advantage of 2 per cent. Then, as to clause 77, I shall move that it be expunged, because there seems to be a difference of opinion as to whether the land cannot be burdened twice, once as freehold and once as leasehold. Then, as to clauses 94, 95, 96, 97, and 98, they ought all to be struck out. But I particularly object to clause 4. I cannot ascertain how it came into this Bill. Its evident object is to give certain advantages to those who have no right to expect them.

The Hon. Mr. BUCKLEY.—This is a most important Bill, and one that requires the serious consideration of the Council. We must not only look at what its immediate effect may be: we must look at the effect it is likely to have in years to come. I consider the introduction of such a Bill is an admission by the late Government that their Public Works policy has to a certain extent broken down; otherwise there would be no necessity for this Bill. If so many more lines of railway are desirable I cannot see why they should not be constructed by the Government. From what we know of the system of guaranteed railways, it has, to a certain extent, been a failure. They were carried out in India in the first instance, but were not a success, and the Government were obliged to come in and take them into their own hands. The companies to be formed under the Bill will have to find the means by borrowing, and it is impossible that they will be able to get money under 7 per cent., which is the amount of guarantee given. I am quite at a loss to understand why 7 per cent. per annum should be incurred in making these railways, when, if the Government take them into their own hands, as they ought to do, they will be able to borrow the money at 5 per cent. In this case, there will be a clear loss to the country of 2 per cent. In the first year, if this Bill were taken advantage of by private companies to the extent of one million, that would at once be a loss of £20,000 a year to the country. Then those lines, if made, will entail an annual cost of 5 per cent. to property, if not paying. I would ask if that is fair, because we have lines made already through which properties have been benefited to a large extent, and which are not taxed in any way, and, of course, if one part of the colony is to be taxed in order to pay for the railways, I do not see why they should not be taxed also. There was a Railway Companies Act passed in 1875, which is incorporated in this Bill; and one line, the Kaitangata, was constructed under it. I saw a report of the working of that line a short time ago, and I understand that it has not been at all successful, and the Government were blamed for it. There are many clauses in the Bill which will require amendment. Clause 14, for instance, is not sufficiently distinct. It does not fix the rate for one year. The rate may be levied for all time, and, if the clause remains in its present form, great injustice may be done. For instance, it may operate in this way: Persons holding

miners' rights have a vote, and five men, each with one acre, have five votes; whereas the owner of, say, 5,000 or 20,000 acres would only have five votes. So that a very small proportion of the votes in a district will completely out-vote the large holders of property. I do not see how that clause can be made to work fairly unless it is altered in such a way that there shall be a majority in value of the holders of property as well as a majority of voters. Clause 66 gives the Government no control over the rates of carriage—all the Government has to do is to fix a maximum; but while the companies get a guarantee of 7 per cent. it is not likely that they will charge up to the maximum allowed. The rates of carriage will always be kept as low as possible. In clause 67 power is given to reduce the rate, but I do not think that such a clause will be necessary. Clause 76 provides for a guarantee of 7 per cent., which means that property is to be charged 5 per cent. and the Government is to contribute 2 per cent. I think that this clause should be altered so that the Government guarantee should cease at the end of a certain number of years. Clause 81 is an extraordinary one. Honorable members will see that five years from the opening of the railway no less than 20 per cent. of the earnings is to be regarded as profit derived from the working of the line. That is really an acknowledgment that the Government have very little faith in the management. In clause 83, by which interest to the extent of 2 per cent. is guaranteed, I think the term should be fixed at not longer than seven years. Clauses 94 to 98 were not in the original Bill, I believe, and they give powers to the counties. These clauses require very serious consideration, and I hope they will be struck out. Powers are proposed to be given to the counties which would not have been given to the provinces previous to abolition. I think, if the counties are to be of any use at all, they have quite enough to do with other matters without interfering with railways.

The Hon. Sir F. DILLON BELL.—I was much disappointed by the statement of the honorable and gallant member that he had not made up his mind as to what course would be taken by the Government in reference to the County Council clauses in this Bill. I do not think that any one who has looked at the matter fairly can deny this: that the Bill as originally introduced by the late Government in the other House had a clear and specific plan of its own; but the insertion of these clauses giving the County Councils power to construct railways could only have been agreed to in a great hurry, because they strike at the root of all the advantage of the original Bill. Let the Council consider what was the original intention of the Bill. The argument of the framers of the Bill was this: There are districts in many parts of the colony which require railways to be made, but these districts are remote from the main lines, and there are other grounds of public policy why we cannot construct these railways, the chief one being that we have no money to make them; but, not being able to make these railways ourselves, we will

*Hon. Captain Fraser*

afford the means of making them by private enterprise. This was what the Government really said: "We cannot make these railways for you—Parliament will not grant us money to make them; if you want them you must go to private enterprise, and you must show capitalists that the railways, if made, would pay; and, in order to make that clear to the capitalist, you must consent to rate yourselves, if necessary." That was the original position taken up, and I conceive that it was a very proper one, because the ratepayers in the district were obliged to show a safe basis to work upon, and would give good reasons why private enterprise could be profitably resorted to. But that is all changed now, if the County Councils are to be empowered to make railways, and the necessary check on a district is quite removed. The ratepayers in a county would not be under the same sense of responsibility in giving their votes when the County Council was responsible for the railway as they would be if they knew that they themselves would be directly responsible to the private company. They would know very well that they were risking no money of their own, and that if the railway did not pay they would not have to pay interest on the cost. It seems to me that if the Government wish to preserve the leading principles of this Bill—the principles which first recommended the measure—they must strike out these county clauses altogether. Instead of encouraging enterprise, the Bill, if these clauses are retained, will discourage private enterprise, besides imposing on the County Councils responsibilities and powers they were really not capable of assuming. It will only lead to the same recklessness in rushing into public works which, to my mind, has proved to be disastrous in the past, and which has landed us in our present serious financial difficulty. The counties are to have endowments of land, and may issue debentures and raise money on the security of the endowments. It is true that there is a provision that, if Parliament does not pass a resolution at its next session approving of the endowments, they are to cease. But what guarantee have we that that will be any real check upon the action of the Executive Government? Suppose an endowment were made, there is nothing to prevent the grant being issued and money borrowed on the land; and, when the next session came round and there was any objection to the endowment, what would be the answer? That the Crown grant had been issued; and there would be an end of it. Looking at the railway proposals which have already passed the other House, and the proposals which have been made for enormous reservations of land, we ought to take great care lest we encourage the recklessness I have been speaking of, especially in times of political excitement. I hope the Council will revert to the original proposals of the Bill, and that we shall be content with a measure which will encourage private enterprise to make railways in those outlying districts where Parliament cannot find money to make them. Above all, let us strike out of the Bill anything which may tend to impair the purity of political action so desirable on the part

of the Government of the day. I am quite sure that if these powers are given to the counties we shall find they cannot properly do the work, and the end of it will be to add very largely to the already heavy burdens upon the State. With regard to the voting power and the rating power, I am not at all afraid if the Bill is confined to private companies and enterprise: then there would be a guarantee that rating would not be resorted to in a reckless way; whereas, without the safeguard of responsibility by capitalists having something to lose, there would be no security against unjust and improvident rates.

The Hon. Mr. HOLMES.—Sir, this Bill has been received with more favour than any other Bill of the session. I believe that throughout the country the people generally entertain the idea that it is a good Bill, and that it will meet a felt want, more especially as regards short lines of railway to connect with the main lines, and to open up rural districts in the colony. If such an object be attained, there will be an advantage to both parties: there will be an advantage to those who have their capital profitably invested, and the country will be benefited because of the increased profit upon the main lines. It is not to be expected that the Government can undertake to make railways in all the localities that want them, especially branch lines. I therefore think the Bill is a good one. Still, there were many objections to it when it was first introduced to the other branch of the Legislature; but changes have been made which have altered the character of the measure, and to a very large extent have improved it. But even now it is not free from objection. For instance, there are too many proceedings to be taken under the Bill before the 2 per cent. guarantee can be claimed from the Government. The sanction of the ratepayers to pay the 5 per cent. interest would have to be obtained first of all; but I do not see that any further proceeding should be taken until both Houses had given their sanction to the company and had agreed to pay the 2 per cent. interest. It is quite possible that, after all had been done in accordance with the provisions of the measure, still Parliament might refuse to sanction the line; and then in what position would the company be? It would be deprived of this bonus, and would consequently be under a very great disadvantage. After fully considering the matter, I think a very great improvement could be made in this Bill by making it imperative that any company formed under the Bill should have a *bond fide* paid-up capital of 25 per cent., and that the Government should then step in and guarantee debentures for the remaining 75 per cent. The money could be obtained on precisely the same terms as those on which the Government of the colony obtain their money—namely, at an interest of 5 per cent. per annum—thus saving 2 per cent. And, when the Government came to take over the railway, as they have power to do under the Bill, there would be no difficulty in the matter, and the debentures, bearing the ordinary rate of interest, could be taken over by the Government. That would be a great boon to any company, because there

would be an undoubted saving to the company of 2 per cent., and it would facilitate the taking over by the Government of the railway afterwards. It is proposed that counties making railways under this Bill shall have borrowing powers. I consider that it would be a great drawback to give them borrowing powers, and that it would lead to a great many mistakes in regard to those parties outside the colony who lend money. Home capitalists would fail to see the difference between the colony and the county, the one being an integral part of the other. There is another point with regard to lending. The debentures are to be for seven years. Now, if we make the debentures current for so short a period the borrower will suffer. The shortest period for which debentures should be issued should be twenty-one years. There is yet another question which we ought to consider in dealing with this subject, and that is, granting concessions of land instead of the bonus of 2 per cent. per annum. In America the State usually concedes one-half of the land on each side of the line, and then the price of the remaining land is doubled, and the result is that the railway actually costs the Government nothing, while at the same time the country is thoroughly opened up. With regard to the question of purchasing the lines, I consider it scarcely fair to the company to say that their lines shall be purchased on the terms indicated in this Bill, which says that the Government shall pay the original cost with 10 per cent. added, and then make a deduction for depreciation. Supposing a line has run for three or four years, the depreciation will amount to more than the addition of 10 per cent., and then, if the company has not made a profit in working the line up to that time, there will be an absolute loss if it has to sell it. The fair way would be to take the line at a valuation at the time it was disposed of, without reference to what it had cost. There is still another question in connection with this subject which I wish to bring under the notice of the Council, and that is that where a line runs through Government land the land is to be rated, but the amount of the rate is allowed to accumulate. It is not stated, however, whether interest is to be charged upon the amount or not. Supposing that the line ran through Government land for most of its length, and that the subsidy which the Government are to pay did not come in regularly year by year, it is quite possible that the railway company might be ruined, while, at the same time, it had a debt against the colony. There should be some alteration in the Bill so that any company running a railway through Crown lands should in some way be enabled to get payment of the 5 per cent. every year, or, if not, that the rate should be allowed to accumulate at compound interest, so that the company should sustain no loss. These are the only items of the Bill that I think require to be referred to by me. Taking the Bill altogether, I think it is an excellent measure. I believe that there are several districts which are prepared to take advantage of the Bill when it has been passed, more especially in regard to the construction of short lines to

Hon. Mr. Holmes

open up agricultural districts. I think that the best proof that the Bill is required is that the people are prepared to tax themselves for a portion of the cost of the railways. I have much pleasure in supporting the second reading of the Bill.

The Hon. Mr. Hall's amendment was, by leave, withdrawn.

Bill read a second time.

#### STRATH TAIERI RAILWAY BILL.

The Hon. Mr. HALL, in moving the second reading of this Bill, said it might seem strange to honorable members that, not being connected himself with the Province of Otago, he should have taken charge of this Bill. But the truth was that, although the Bill involved a principle which a large number of members from that part of the colony were favourable to, yet, as the application of that principle might be made in different ways affecting variously different parts of the province, the Otago members, although agreed as to the desirability of forming a line to the central part of the province, might find some difficulty in agreeing as to which way the line should go. It was thought, therefore, that a person altogether independent of Otago might, under those circumstances, be the best person to take charge of this Bill. He was glad to do so for this reason: that he was pleased with the opportunity of showing that the principle embodied in this Bill, and which he had advocated more than once in the Council, was a principle which he was quite ready to apply unselfishly. He did not advocate that principle because it affected the part of the country with which he was connected, but it was one which he would be glad to see applied to every part of New Zealand in which circumstances admitted of it. It was the sound principle of colonial political economy that the waste lands of the colony should furnish the means for developing those lands—for promoting the beneficial occupation of the land—either by the importation of labour, or by providing convenient access by roads, bridges, railways, or harbours, as the case might be. That was the principle which was advocated by the father of New Zealand colonization, Edward Gibbon Wakefield; that was the principle on which he justified the charging of a sufficient price for land in order to enable the land to be beneficially occupied. That was the principle at the root of this Bill, and practically at the root of all successful modern colonization. In New Zealand that principle had been acted upon more or less during the time the waste lands were at the disposal of Provincial Governments. They had, more or less wisely, devoted the proceeds of the waste lands to opening up their provinces; and it was the principle embodied in the Public Works policy introduced by Sir Julius Vogel in 1870. Honorable members would recollect that, although borrowing money to carry out railway works was perhaps the leading feature of that scheme, another feature and, to his mind, the best feature of the scheme was, that considerable tracts of Crown lands were to be set apart to provide funds for

the construction of railways, and were to form, in fact, a railway estate. He regretted exceedingly that circumstances had led to that feature of the scheme being abandoned, and that Sir Julius Vogel was not firm in adhering to it. No doubt the political difficulties in carrying it out would have been great, but he believed that it would have added to that gentleman's reputation, and would have materially promoted the prosperity of the colony, if he had adhered to that principle at all hazards. The position in which they found themselves at the present time was that the colony was burdened with an extremely heavy debt, the burden of which was becoming alarming. They had a certain amount of railways constructed, some of which were paying, some of which were not paying interest. A large proportion of those railways he believed would be reproductive, and some of them had already contributed very largely to the development of the material prosperity of the colony. But, as the French say, *l'appetit vient en mangeant*. The railways they had got gave them an appetite for more. When railways had developed and facilitated the occupation of certain portions of the colony, other portions, seeing such results, naturally demanded the same benefits. They had already, and would have from time to time, demands for railway extension which, under the circumstances of the colony, it would not be possible for them, even if it were wise, to resist. Additional railways they must have, and the only question before them was, How should they provide them? Should they make them by adding still further to the heavy debt pressing on the colony and alarming many honorable members; or should they seek to secure them by applying a certain portion of the waste lands of the colony to their construction? That was the question which presented itself to his mind. Of course the latter plan could not possibly be adopted in every case, but he had no doubt that, where such a course could be prudently and advantageously taken, it ought to be taken? It was a sound and right principle that they should make the land make the railways. He would refer to one objection to this mode of procedure which had been raised before in the Council, and which would probably be raised again—namely, that they were thus getting rid of colonial assets, and were to a certain extent endangering the rights of the public creditor. He did not think the public creditor would say anything of the kind. He lent his money not upon the security of the landed estate of the colony, because he knew very well that they were selling it from year to year, from month to month, and from day to day. There was no breach of faith with the public creditor in doing that. What he had lent his money upon was the security of the tax-paying power of the colony—the general wealth and resources of the colony—the power of the people of the colony to pay, by way of taxation or otherwise, the interest and principal of his loan. That was what the moneyed men in England looked to. Therefore they were doing no injustice in disposing of the land. It was altogether a fallacy to say that it

was any kind of injustice to the public creditor. But then it was said, "Even if we are not doing that, we may land ourselves in a difficulty by getting rid of the public estate." Of course if they got rid of it too suddenly, if they got rid of it without creating an equivalent, they would be putting themselves in a difficulty. But what did this Bill propose to do? It proposed to apply 400,000 acres of land in the Provincial District of Otago to the construction of a railway from Dunedin to the centre of the province. Was 400,000 acres a dangerous proportion of the remaining Crown lands of the Province of Otago to apply to such a purpose? The amount of Crown land there occupied under pastoral leases, according to the last return laid on the table of the Council, was considerably over 6,000,000 acres. It appeared to him that they were not taking too large a proportion of this land. But he would go further, and say that, if the land were wisely selected, if it could be shown to the Council that this railway would very largely develop the agricultural land through which it ran, if it would make land now worth £1 an acre worth £3 or £4 an acre, then he contended that, so far from diminishing the available resources of the colony, they would, by such a proceeding, be largely increasing them. That was a wise and prudent policy. Honorable members might, however, object on another ground, and say, "We have a certain sum of money to be provided out of the Land Fund for certain public purposes: how are you going to do that, if you act upon this principle?" His answer was that, in regard to the Province of Otago, the sums realized by the sales of waste lands had not, up to the present time, been excessive; and if they took 400,000 acres out of 6,000,000 acres, and disposed of a portion of the purely pastoral land at such prices as purchasers could afford to pay for it, they would, for many years to come, have as large a revenue as they had at the present time. He did not wish the Government to act hastily or imprudently. While they should, in disposing of agricultural land, exercise the greatest possible care to dispose of it only in such a way as to secure its beneficial occupation by agricultural settlers, absolutely pastoral land might be advantageously disposed of in blocks of considerable size. Every man knew that there were large quantities of land in New Zealand which could never be anything else than purely pastoral. It was true that in some cases agricultural land might have been sold as pastoral land; but there was land which was good for nothing but depasturing, and it would be in the interests of the country to dispose of such land at such terms as a person could afford to pay for it. By adopting that course they would have an ample land revenue for years to come, and eventually the income from the railways would provide a return for the money that had been expended upon their construction. Of course in any proposal of this kind it was the duty of the Council to see that it was not a mere speculative proposal. They should take care that the proposal was a *bond fide* one, that it was prudent, that the railway could be made at a

reasonable cost, that it would assist to develop the settlement of the country, that it would really lead to the cultivation of agricultural districts, and so increase the wealth of the country, and its power to bear public burdens. He would not ask the Council to favour a proposal of this kind if he were not in a position to place before it very ample data upon the subject. The proposal in the Bill was to make a railway to the interior of the Province of Otago. The case had been reported upon by Mr. Blair, District Engineer of Otago, by order of the Government, who instructed that gentleman to consider the whole of the proposed lines through the interior, and to report upon the subject: that report would be found attached to the Public Works Statement, which had been in the hands of honorable members for some time. Furthermore, a Committee of the other branch of the Legislature appointed to consider this question went into it very carefully, took evidence upon the subject from Mr. Donald Reid, from the Surveyor-General (Mr. Thomson), from the Assistant Surveyor-General, who was formerly the Reconnoitring Surveyor of the Province of Otago, from Mr. Roberts, a settler in the neighbourhood, and from his honorable friend Sir Francis Dillon Bell. Upon that evidence, the Committee furnished a report the purport of which was that the most advantageous line of the whole seven which were proposed was that by Strath Taieri to Clyde. The various routes were, commencing from the South—Kingston to Cromwell *via* Frankton, Waipahi to Cromwell *via* Teviot, Lawrence to Cromwell *via* Clutha Valley, North Taieri to Cromwell *via* Strath Taieri, Palmerston to Cromwell *via* Macrae's, Palmerston to Cromwell *via* Shag Valley, Oamaru to Cromwell *via* Maerewhenua Pass. After considering these various routes, the real contest was between the Strath Taieri to Clyde line and the line from Palmerston by Shag Valley to Clyde. He would trouble the Council with a few extracts from the report of Mr. Blair, and from the report of the Committee, to show why the preference was given to the line now proposed, to show the cost at which the railway could be made, and to show, also, the amount of agricultural land which it would bring into cultivation. The distances of the various lines were all stated in the report of Mr. Blair. The distance of that by way of Strath Taieri and the Maniototo Plain was 122 miles; the distance was 129 miles altogether, but it would join the main line seven miles out of Dunedin. The distance to be constructed *via* Cromwell and Shag Valley was 107 miles, but it would be 148 miles from Dunedin, as it would join the northern line at Palmerston. There was rather less work to be done in the latter case; but it was a longer line to travel. With reference to these lines, Mr. Blair, on page 67 of his report, says,—

"Having discussed in detail the various routes proposed, I shall now recapitulate and compare their leading characteristics. Route No. 1, *via* Kingston and the Kawarau Valley, is easy to construct, and its curves and gradients will be easy, but it does not open up good country. It will,

*Hon. Mr. Hall*

however, be useful as a junction when the railway system of Otago is more complete. Route No. 2, *via* Waipahi, Tapanui, and Teviot, is tolerably easy to make and work, but, beyond the first sixteen or eighteen miles, through which a branch is much needed, there is little good country for settlement. Route No. 3, *via* Lawrence and Clutha Valley, is the shortest to construct, but it will be somewhat expensive to make, and there is little or no good land opened up by the way. Route No. 4, *via* Strath Taieri, is the shortest from Dunedin to Cromwell; its gradients are easy, and it brings all the interior plains into direct communication with the capital and the best harbour. Route No. 5, *via* Palmerston and Macrae's, lengthens the distance to the interior by thirty-seven miles, and adds 1,000 feet to the height, without opening up much available land. Route No. 6, *via* Palmerston and Shag Valley, misses the rich agricultural land of Strath Taieri altogether. In getting to the Maniototo Plain, it has to go through country 1,500 feet higher than on No. 4. It has severe gradients and curves, and exceptionally heavy works. There is, however, room for a branch to the head of Shag Valley. Route No. 7, *via* Maerewhenua, misses Strath Taieri and does not open up other good country in its place. A height of 1,200 feet is uselessly ascended in getting to the Maniototo Plain, and the works are heavier than on any of the other routes; it also lengthens the journey from the interior to Dunedin by seventy-two miles. Although I have no hesitation in placing the Strath Taieri route first and the Maerewhenua one last, or near the last, in order of usefulness, these are the two between which the greatest contrast exists."

Mr. Blair, on page 65, also says,—

"After fully considering the question in all its bearings, as laid down at the outset, I have no hesitation in saying that, in my opinion, Route No. 4 is infinitely superior to any other of the seven hitherto proposed; and, further, that it is the best course for a railway that can be got between Cromwell and the seaboard."

Then, on page 68, he says,—

"In conclusion, if it is the intention of the Government to take steps towards constructing a railway into the interior of Otago, I have no hesitation in recommending the Strath Taieri line as emphatically the shortest and easiest route that will in its course open up the most good country for settlement."

In his evidence before the Committee, Mr. Donald Reid said,—

"Clearly the line by Strath Taieri is the line that will do the greatest good to the interior of the province; it will open up the greatest area of land for settlement, as well as meet the requirements, in my estimation, of the interior districts: it will bring them in direct communication with the chief seaport."

He would call one more witness, to whose evidence he was sure the Council would attach great weight, and that was his honorable friend Sir Francis Dillon Bell, who, in answer to a question by Mr. McLean, said,—

"I am obliged to say that, looking to the evi-

dence which Mr. Blair's report gives as to the character of the gradients and the altitude to surmount in the line by Strath Taieri, I should say that, in an engineering point of view, there would be no comparison between that and the Shag Valley line; the Strath Taieri line would certainly be best."

He (Mr. Hall) was now speaking only of the engineering advantages of the different routes. Then Mr. McKerrow also gives evidence upon the subject, and to him this question was put:—

"There is another line which starts also from Palmerston up the Shag Valley. What is your opinion of that line?—My opinion is that the engineering difficulties would be so great that it should also be set aside. I may say that, with regard to this Shag Valley, I think it a proper thing that a branch railway should be made to Luk's, near Sir F. Dillon Bell's station."

So much with regard to the engineering advantages of the various line. Then he had before him estimates of cost—one by Mr. Blair, which was as follows:—

"As already stated, I cannot, without a more detailed survey, give anything like a trustworthy estimate of the cost of a railway from Dunedin to Cromwell *via* Strath Taieri; but the following, which does not include engineering nor rolling-stock, may be taken as at least an indication:—

	Miles.	£
"North Taieri to Blair Taieri...	34	230,000
Blair Taieri to Maniototo		
Plain, opposite Naseby ...	33	140,000
Maniototo Plain to Clyde ...	42	170,000
Clyde to Cromwell ...	13	60,000

Total Dunedin to Cromwell 122 600,000"

There was also the evidence of Mr. Roberts, a settler in the neighbourhood, and, although this was not professional evidence upon the point, it bore very strongly upon it. This question and answer appeared in his evidence:—

"You consider that a company would make this line if a guarantee be given?—I think, for a guarantee of 300,000 acres, a company would be inclined to make a line from near Mr. Reid's corner, or the Chain Hills tunnel, at the junction of the main south line, to Clyde or Cromwell."

Then, question 184,—

"Do you think a public company could be formed to construct this line of railway?—From evidence I have gathered in Dunedin there would be no difficulty in getting a company to construct a line, if given a pre-emptive right over 300,000 acres at 20s. per acre."

That was only the opinion of a layman, and must merely be regarded as confirmatory of what had been stated by Mr. Blair. But the most important part of the question to his mind was this: What amount of land would this line render available—what would the line do in the way of promoting settlement if it were constructed? Upon that point he would trouble the Council with a few quotations. Mr. Reid, in his evidence before the Committee, went into the matter at considerable length—at such length that he (Mr. Hall) would not read the whole of that

gentleman's evidence, but would merely say that it was very favourable. Then Mr. Thomson, the Surveyor-General, who knew thoroughly the country, gave this information. After stating how much agricultural land there was, this question was put to him: "And millions of acres of pastoral country?" to which he replied, "Six or seven millions." Mr. McKerrow gives more precise evidence with regard to the agricultural part. He says, at page 8,—

"Now, what would you say was the total area of land available for agricultural settlement, from North Taieri up to Clyde, that would be rendered accessible by the construction of such a line?—There will be 1,200,000 acres opened up.

"Agricultural?—Oh, no; mixed.

"How much would be rendered accessible for agricultural settlement?—I did not consider that point, but I think I might say a fourth of it, or perhaps a third. We do not know what will grow there, because at one time they thought wheat would not grow beyond Taieri; then we shifted to Clutha; then to Queenstown, which is now one of the finest wheat-growing districts in the colony.

"Your answer is that it would render available 1,200,000 acres?—Yes. Of that 1,200,000 acres the whole is Crown land, with the exception of about 40,000 acres; which is a very important point."

That is what he (Mr. Hall) wished to impress upon the Council—that it was an important fact that the whole of the country through which the line would pass, with a trifling exception, was Crown land, and, if managed properly, the construction of the line must result in a large sum of money being placed in the Public Treasury. Mr. McKerrow then went on to say,—

"Supposing now that you were asked to indicate what would be the best line to open up into the interior of Otago, which would you recommend, knowing the country as you do?—I will qualify the reply a little. The Strath Taieri route would open up the most country suitable or available for settlement; but, in my opinion, the best interior line to reach Clyde and the districts beyond, inclusive of ultimate extension to the West Coast, is the railway line *via* Lawrence.

"That would be because it is the shortest?—And because it goes over the lowest country. If looking at it in a selfish light, and I resided at Cromwell, I would say the line should go that way.

"At the same time, the Strath Taieri is the line that will open up most country for settlement?—Certainly."

Then he came to the Hon. Sir F. Dillon Bell, who said, in answer to a question,—

"I think there is no doubt whatever that there is more available agricultural land open for settlement by the Strath Taieri than by the Shag Valley route; but I doubt whether there is any land on the Strath Taieri route so good in quality as some 4,000 or 5,000 acres by the other line, between my station and Morrison's. The character of the land there is excellent; it is very rich soil, though it is all hilly and ridgy land. As regards land fit for settlement, there is no com-



parison between the quantity in the Strath Taieri line and the quantity in Shag Valley, though I think there are 5,000 acres in the Shag Valley line better than any I know on the Strath Taieri. I speak of the character of the soil; as regards adaptability for settlement, I still think the Strath Taieri line is the best."

In answer to another question, he said,—

"As I said before, the advantage which the Strath Taieri line has is that along that line there is more available country adapted for settlement by people of moderate capital; while the advantage of the Shag Valley line is that it would be immediately productive of revenue over every ten miles that were made of it, which the Strath Taieri line would not."

Then we find the following:—

"Mr. Macandrew.] Do I understand you to state, from your knowledge of the interior of Otago, that, of all the proposed routes now indicated, that by Strath Taieri opens up the largest area of available country for settlement?—I have no doubt of it."

Another point is brought out in the following question and answer:—

"Do you consider the immediate realization of funds, say for a year or two years, would counter-balance the other disadvantages?—No, I would not say so; I should say that, if you could afford to wait for the receipt of revenue, it would be better to take that line which would open the greatest quantity of land for settlement."

In addition to the testimony he had read, he might read petitions from the various County Councils along the line of route, and one also from the City of Dunedin. But he would not do so. They were attached to the papers, and honorable members might peruse them and observe the unanimity which prevailed in regard to this line. It would be seen, therefore, that this line would open up a large quantity of agricultural land, estimated at not less than 400,000 acres, which, it was stated in the reports he had referred to, was at present comparatively inaccessible—that was to say, that the transport of agricultural produce from that land to a port of shipment was at present so expensive that it would not pay to grow corn in these districts. That was the gist of the whole thing. The foundation of the prosperity of this colony for many years to come must rest chiefly upon its agriculture. Farming was the backbone of the colony, and as farms receded from the port of shipment it became increasingly difficult to carry on agricultural pursuits at a profit unless railway communication were instituted. Honorable members who came from Canterbury knew that very well. They would know that a few years ago it was becoming difficult for agriculturists to carry on their operations at a profit, and that since the railways had been constructed there had been a very great advance in that respect, and that consequently the province had gone ahead. There was no reason why it should not be the same in other parts of the colony. In the district now in question there were 300,000 or 400,000 acres of agricultural land to be opened up. It must be considered, also, that nearly all the land through

which the proposed railway would pass was Crown land, and that any increase in its value went into the public chest. It did not pay in these districts at present to grow corn for exportation; but, if the land were made accessible by this railway, people would be able to grow grain on it at a profit, and the value of the land would be increased twofold or threefold. He would now draw attention to the manner in which the Bill proposed to deal with the case. It was proposed that the Government should make reserves in the Counties of Taieri, Maniototo, and Vincent to an extent not exceeding 400,000 acres, and that the Minister for Public Works might construct or cause to be constructed the line proposed to be made. Then the Bill went on to say that, if the Government did not, within twelve months, do the work, a railway trust should be constituted, consisting of the Chairmen of the three counties, upon whom should devolve the power of making the railway. It had been pointed out by gentlemen who took an interest in this Bill that it would be inexpedient to place such power in the hands of such a body, and he was bound to say that, in considering the matter fully, he could not dissent from that conclusion. It was too much power to give them; it was not altogether proper to allow these gentlemen to disburse the proceeds of the sale of 400,000 acres of land or to borrow half a million of money on the security of that land. It was a power which ought not to be given to such a body, and there was no sufficient reason why, if the thing could be done—if the railway were to be constructed out of these large reserves—it should not be done by the Government, who were responsible to Parliament. If the Council, therefore, thought fit to read the Bill a second time, he should consent to the excision of this part of it. Perhaps it would be most convenient, if the Council allowed the Bill to be read a second time, that, with a view to introducing amendments which might be necessary, it should be referred to a Select Committee. It had been suggested that there might be other Bills of the same kind, and that they ought to be referred to the Select Committee also. To his mind that was a fair proposition, but he did not think that that at all interfered with the propriety of this Bill being referred at once to the Select Committee. He thought himself that the Bill ought to include power to raise money upon the security of this land by whoever was intrusted with the duty of making the line, because if the 400,000 acres was now worth £1 per acre—and honorable gentlemen from Otago assured him that it was so—it would be worth much more if the railway were carried through, and the land were made accessible to the shipping port of the district. No doubt there would be a very large increase in the value of the land; and he was assured, by some persons likely to be well informed on the point, that the increase in value would absolutely be equal to the whole cost of the construction of the railway, so that it would be sufficient to pay for the construction of the line, and there would be a surplus equal to the present value of the land after the line was finished. One witness before the Select Com-

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mittee of the other House, Mr. Roberts, stated as follows in his evidence: He was asked the question, "What would be the value of the land?" to which he replied, "The value of the land would be increased perhaps from 5s. to 7s. 6d. per acre. The price of agricultural land would be enhanced from £1 to £1 10s. per acre beyond the present upset price." That was to say, instead of selling the land at £1 per acre, it could be sold for £2 or £2 10s. per acre; and he felt certain that that was by no means an extravagant estimate. It was a well-known fact that when a railway was made through land it generally became worth four or five times its former value. Mr. McKerrow gave somewhat similar evidence on the same subject. He was asked, "Do you think that only a portion of the land would be opened—namely, that alongside the railway line?" He replied,—

"I should think it would double the value of the land tinted on the map. This Strath Taieri Hundred was opened up and advertised, and a lot of Taieri settlers went up and started farming, but they found they could not work two establishments on account of the hilly road intervening, and came back. The Strath Taieri land is at present unavailable for settlement on account of its inaccessibility."

That was very valuable evidence, as showing that not only would the land be beneficially occupied if made accessible, but its increased value for sale would actually pay for the construction of the railway. He would now refer to one or two objections which had been raised. It had been said that the report as to the practicability and cost of the line was not conclusive. That was true: no detailed survey had taken place; but he thought honorable members would admit that all the promoters of such a Bill as this should do in this respect had been done. At the same time, it would be the duty of the Government, if the Bill were passed, to make a detailed survey. If it were shown that the railway could not be constructed out of the proceeds of the land now being reserved, it should not be entered upon without further reference to Parliament. It had been said that this work was too large and grave a one to be intrusted to a railway trust such as had been proposed, and, as he had said before, he agreed in that opinion. It had also been said, by gentlemen who were conversant with the working of the waste land laws of Otago, that, if the land were left to be dealt with by the Waste Lands Board of Otago, without any further provision than that now existing in the Bill, which was to the effect that the Board was to sell the land under the ordinary waste land laws of the province, it would be left open to the Board to sell it or not to sell it as they chose, and it was just possible that the Board might not feel inclined to sell it, or, if they did sell it, they might dispose of it in such dribblets that the sum realized would not cover the cost of the construction of the railway. That was the opinion of gentlemen who had a full knowledge of the working of the Otago Waste Lands Ordinance; and it ought to be made quite clear in the Bill that the land should be sold in a prudent and business-like

manner as speedily as possible, in order to repay the money which had been expended in the construction of the line. He was afraid he had wearied the Council, and he felt that he was dealing with a subject with which he was not so familiar as some other honorable members of the Council; but he was anxious to do justice to it to the best of his ability. It was a very great pity that the principle he had been advocating had not been acted on heretofore—namely, that the land should be made to pay the cost of construction of the railways. He hoped they would not stop at the present proposal, but that they would dispose of a considerable portion of their landed estate in the way proposed by the Bill. He believed that, instead of the colony being at all poorer for disposing of its land in that way, it would be richer: in fact, when they had disposed of even one-half of their landed estate in that way they would be better off than they were at present. He hoped that those honorable members who approved of this principle would not allow any differences of opinion as to the particular route which this railway should take to prejudice them against the Bill. The matter had been fairly considered and reported on by a Committee of the other House, and that Committee was in favour of this particular line; and he trusted that those honorable gentlemen who still held the opinion that another route which had been suggested was the best would not insist on their opinion, but would agree to the line proposed in the Bill. He hoped the Council would agree to the second reading of the Bill. As he had already said, he thought the Bill should be referred to a Select Committee, and when the report of that Committee was brought down he was sure the decision of the Committee would be acceptable to the Council.

The Hon. Mr. CHAMBERLIN said the Hon. Mr. Hall had made a long and interesting, but not a wearisome, speech. At the same time, it was a most remarkable speech. In fact, he had never heard such an extraordinary speech during the whole of his career in Parliament. There was one word which was repeated many times during the course of the speech, and that was the little word "if." The whole thing, according to the honorable gentleman, would be right "if" this, that, or the other thing were done. He had no faith in these "ifs," and if he were in order in moving, that the Bill be read a second time that day six months, he would do so.

The Hon. Colonel WHITMORE said the honorable gentleman who had introduced this Bill in an exhaustive and able speech showed, he thought, satisfactorily to the Council that the proposal made for the construction of the Strath Taieri and Clyde Railway was not one new to the Legislature. This proposal was similar to that originally made when the Public Works and Immigration scheme was introduced, and he, for one, very much regretted that it was not given a larger development at that time. He knew honorable gentlemen would say that in the presence of the great necessities of the country they had no business to impoverish their means and to lessen their assets; but let them not

draw a red-herring across the scent, and bring a totally foreign person—foreign not only as regarded his locality, but foreign also to the consideration—into their discussions. This was a matter which the public creditor had no concern with at all, and there was no greater fallacy than that of throwing this public creditor at their heads upon every occasion when they were talking about their assets in land. Not only had the colony not borrowed any money whatever upon the credit of its Land Fund, but there was no foreign creditor who would fail to lay the whole subject of our resources before his solicitor before he invested in the funds of the colony, and no lawyer who would fail to point out to him that our Land Fund was a vanishing fraction, and must not be considered as any security whatever for the money he was about to lend to this country. The public creditor lent his money upon three securities—upon that of our integrity, upon that of our industry, and upon that of the productiveness of the country. He would take the first two for granted. With regard to the third, did or did not such a proposal as this increase the productiveness of the country? He was given to understand—and he had been at pains to inform himself on the subject—that the district through which this Strath Taieri Railway was to go was at present unapproachable by anything like a practicable and useful road such as would enable grain traffic to be carried on upon it. It was not a district like some through which railways had been made, in which the land belonged to private individuals, who reaped the entire advantage of the railway constructed at the public expense. Whatever increase of value there might be resulting from the railway construction would fall, under this proposal, to the benefit of the colony. The proposal, as he took it, and as alone the Government would support it, was a proposal under which certain land, instead of being hurriedly seized and sold to speculators in expectation of a railway being made there, would be reserved, and would be sold after the railway was constructed, when the highest possible price could be expected from it, and when its productiveness would become a material factor in the national prosperity. A large district like this, stated, upon the best authority, to be one of considerable fertility, and of an agricultural character, opened up by a railway line to the sea, might in future yield a grain export, if not equal to that of those great centres Timaru and Oamaru, at all events sufficiently large to make a very considerable increase to the grain export of the colony. At this moment there were several kinds of railways legalized in this country. There was the trunk railway, the outcome and the first proposal of the Public Works policy—the national trunk railway of the country. There was the district railway proposed by the Bill which was on the Order Paper of the Council, and which had to receive a certain guarantee from the Government and a certain guarantee from the district. And, lastly, there was the district railway also contemplated by that Bill, which was an entirely private speculation, and had no advantage except a right

*Hon. Colonel Whitmore*

to obtain lands, and to run a railway under regulations requisite for the safety of the public. If the proposal in this Bill met with favour from the Council there would be a fourth kind of railway—a railway built in such a way as to add nothing to the burdens of the people—a branch railway which would open a totally new district to the industrial part of the population, besides creating an increased return from the Land Fund beyond that which they could have hoped to get if that railway had not been made, and the land had been disposed of at its market value. He was informed on all sides that, if the railway were made, the land, instead of being worth £1, might be expected by the time the railway was finished to be worth £3 per acre. This was the one kind of case in which a large allocation of land was in his opinion allowable. This was not a case in which they were really taking anything out of the pocket of the country. Assuming that this work was a necessity—and the residents in that part of the country all believed it to be a necessity—it would, at all events, add a new asset in the railway itself, without adding further burdens or in any way impoverishing the country, and the freeholders in that district would not derive a large fortune from the railway, but the Government itself. He should think it exceedingly wrong to take a large endowment in land in a district unless the Government reaped the great bulk of the increment of value which the project was likely to create. It was very true that they must begin to regard the Land Fund now as one great element in the means of the country. From a return which had been placed upon the table of another branch of the Legislature it would be seen that the entire amount of land throughout the colony was estimated to be worth £15,000,000. From a statement of the late Treasurer's finance it was to be seen that he made both ends meet by putting his hands upon 72½ per cent. of the estimated amount of the land revenue for the forthcoming year, and that, having then a deficit of £167,000, he proposed to take that also from the Land Fund, as an exceptional demand, thus raising the entire contribution he proposed to take from the Land Fund to something considerably over 90 per cent. Therefore we were really living to a great extent upon our Land Fund. But he maintained that, although that was the case, and although superficially the reserving of 400,000 acres looked like a great reduction from our means, still it was not so in reality. This land was not land which was now available for sale. If it were available for sale it would only be so at a very moderate price indeed, and would probably be devoted to entirely pastoral uses. Under the present project the residue, after paying for the railway, would be worth more than its present value, and there would be a large agricultural population settled upon what was sold, who would, indirectly, very much add to the wealth of the country. The reserving of the land was, to his mind, an absolute necessity, unless they were prepared to add £500,000, or whatever the estimated cost of the railway might be, to the already monstrous debt of the

country; for, if they did not reserve the land, the immediate result would be that speculators would gobble up every bit of it at the lowest price that the law admitted, and they and not the colony would obtain the increment of value. There had been too much of that kind of thing in this country—too much purchasing of land in anticipation of railways going through it, and too much hardness in subsequent sales where the land had to be repurchased by the Crown for public works. A glance at the return of the amount paid for taking railways through private land would somewhat stagger honorable gentlemen if they gave a few minutes' attention to the subject. The Government could not adopt this Bill in its entirety. The first four clauses laid down that part of the principle which the Government were prepared to support. It would be necessary, of course, to supplement the Bill by some other clauses to give it effect; but the entire proposal to give authority over this extent of country and this enormous borrowing power to three or four individuals the Government could not support. He would be glad to hear what those who he heard objected very strongly to the Bill would find to say against it. It was not a Bill for which the present Government were in any way responsible. It was introduced into Parliament during the time of their predecessors, and, as far as he knew, was not objected to by them. The present Government had considered the Bill, and objected to it so far as he had indicated to the Council; but, looking to the great necessity for making the railway, and looking also to the heavy burdens already imposed on the colony, and the unwillingness both of the public and the Government to add to those burdens except for making the main trunk railways of the country, and bearing in mind that this proposal would ultimately result in the construction of the railway at no cost to the people, the Government thought a fair trial should be given to the first four clauses of the Bill. He hoped that the Council would not, simply on the bare ground that there had been reserves made before of an improper kind, and because there was always a tendency in some directions to seize upon too much of the public estate, hurriedly throw out the Bill. The Council had on many occasions, even where considerable prejudice existed, given very fair consideration to what honorable gentlemen said when introducing Bills of this character, and had given the promoters full opportunity to prove their case. He hoped that they would not make a singular exception in this case. The honorable gentleman who introduced the Bill proposed that it should stand referred to a Select Committee. That proposal appeared to him a very reasonable one, because the only doubt that existed in his mind—and he thought it would weigh very much with other honorable gentlemen—was, whether or not the necessity for this line, and its urgency, could be proved. If evidence were brought to satisfy a Select Committee upon that point, if the statements made by the honorable gentleman who introduced the Bill were corroborated, and if, on reflection, honorable gentlemen came to the con-

clusion that this was not such a very dangerous proposal, as long as Parliament never parted with its direct control over the arrangements, nor allowed the Ministry to escape its responsibility by putting the responsibility upon anybody else, then he thought that the Bill ought to have its trial, and the experiment should be authorized by law.

The Hon. Colonel KENNY felt himself unequal to speaking, and he would not venture upon the task except that he felt it would be a dereliction of duty on his part if he did not express what he felt on this occasion. He entirely dissented from the observations made by the Colonial Secretary in the eulogium he passed upon the speech of the honorable gentleman who introduced this Bill as being a most conclusive and exhaustive one. He would not willingly say anything offensive to the Hon. Mr. Hall, but he would say that he never heard a speech from that honorable gentleman which to him was so extremely disappointing. He wished to abstain from making any personal remarks, but he must say that the guise in which the honorable gentleman came forward as the promoter of this Bill was so flimsy and transparent that it was impossible not to see through what he thought any person who looked at the matter would perceive. A great deal had been said about the principle of the Bill. But the principle that had been argued was a principle affecting the interests of a locality. It was not a national principle. It was a principle affecting a locality, and that only. He did not hesitate to say that this Bill was the precursor, the forerunner, of further measures of the same kind which would be brought before the Council. Would the honorable gentleman venture to say that a Bill of the same kind would not come from the Province of Canterbury shortly? The honorable gentleman justified the course he took in promoting this Bill by saying that he did so from an entirely disinterested motive—that he introduced a measure which had reference to a locality in which he had no interest or concern—and therefore he proceeded to argue upon its merits. He (Colonel Kenny) maintained that its merits were simply merits of detail affecting a locality. The very argument which the honorable gentleman used at the outset condemned it. He said that this course of taking an endowment of 400,000 acres was allowable because it was an ingredient in the Vogelien scheme, but that unfortunately it was abandoned, and the whole Railway and Public Works scheme rested on the basis of borrowed money. He maintained that this was one essential and most important principle, and the one most advisable to follow under the scheme of Mr. Vogel.

The Hon. Mr. HALL did not say "the most important." He said that to his mind it was a very important principle, and a redeeming feature of the scheme.

The Hon. Colonel KENNY said that when he began to speak he expressed his desire to abstain from saying anything personal. He knew how critical the honorable gentleman was, and that he (Colonel Kenny) would come under the lash, as the honorable gentleman would take hold

of the smallest argument or particular in which he erred. But yet he would convict the honorable gentleman upon his own assertion. It ill became the honorable gentleman—in advocating the principle that the Public Works and Railway scheme should have been launched, not purely on the principle of borrowed money, but on the principle of taking the public lands of the colony—to say that this was a proper and fitting occasion, for a purely local purpose, to advocate the taking of 400,000 acres. If the honorable gentleman had been sincere, this was what he would have said: “There is a large landed property belonging to the colony spread here and there—some in my own province, some in the Province of Otago. There was a great error made—we ought to have taken those lands on the origination of the Vogelian policy. Now, what I am going to do is to introduce a Bill the object of which will be to commence a process of that description throughout the colony.” What he (Colonel Kenny) maintained was that they ought not to localize, but to generalize, the Land Fund of the colony. Rather let it be made general public property, and out of the proceeds apportion sufficient to carry out necessary and important works in various parts of the colony. But for the honorable gentleman to say that he came before them—as he believed the honorable gentleman did—without any personal interest in the Bill whatever, while he knew, as a certain consequence, that the same thing would be done in the Province of Canterbury and elsewhere, was calculated to mislead the Council. They ought to regard this as the first step towards a grand attack upon the Land Fund of the colony for the purpose of localizing it; and they ought to resist this first attempt. He did not feel able to proceed with any further remarks, but he thought it was his duty, taking, as he knew he often did, the unpopular side, to express his sentiments on this matter. They were being misled—he knew the honorable gentleman would comment upon that remark, but, he repeated, they were being misled—by listening to arguments which showed that this measure in itself might be a good one if it could be considered apart from the interests of the whole colony, and regarded in the light of one single special Act. But if they took a wider view of it they would see the results to which it would lead; and he repeated what he had said on former occasions, that they were not acting fairly towards the public creditor in thus taking what was the only tangible asset on which they had borrowed vast sums of money. After borrowing all the money they could—and, he hoped, all they would be able to borrow—they were now to be induced to take away the only asset upon which they had borrowed, and the only property which was left to the colony, for the purpose of localizing it, and of making it instrumental in forwarding the private interests of persons, instead of the national interests of the colony.

The Hon. Mr. BUCKLEY said this was one of a class of Bills which ought not at any time to be introduced by a private member. Bills of this sort should emanate from the Government. In 1871 they had the great Public Works

*Hon. Colonel Kenny*

policy placed before them, and since that time they had made great sacrifices in the attempt to carry it out. But they were now to some extent asked to reverse that policy. It was difficult to believe that the policy had not been a partial failure. If it had not, why should they be asked to consider such a Bill as this? He looked upon it as the forerunner of many other similar Bills which were to follow. They knew that more were to come; but he maintained that the Government were bound to construct all the railways that were required by the colony if they were to carry out the policy inaugurated in 1870. He thought, however, that they were in too great a hurry with their railways. They already saw what had been the result of going so fast. In 1870 it was proposed to spend ten millions in a period extending over ten years. At the end of that time the railways constructed out of this money were to a great extent to be self-supporting. Many people at that time thought the proposal a very wild one; but what had they done in the meantime? They found that at the end of seven years double the sum had been spent, and they were left with a very heavy burden upon their shoulders. The result was that their financial position at present was anything but satisfactory. He contended that if it was necessary to make these reserves—and he agreed with the proposal to some extent—it ought to be done by the Government upon one general plan. They should make reserves all over the colony, and deal with them in one Bill. They could then give authority to survey these different lines. Many lines were being surveyed at the present time without any authority from that Council, and of course, when the lines were surveyed, if the Government of the day approved of them they would submit them to the Council in the usual Railway Bills, and the Council could then consider them on their merits, and decide which lines should be constructed and which should not. There was no doubt that this Bill and those which were to follow were the result of the weakness of the Government of the day, who submitted to political pressure. He contended that the Government ought to resist that pressure. If they were unable to do so they should resign. The scramble of 1871 and 1872 was bad enough, but if they allowed this kind of thing to go on they would see a very much worse state of things. He understood the Hon. Mr. Hall to say that there was such a difference of opinion as to the route which the railway should take into the interior of Otago, that he had taken charge of the Bill because no Otago member would take charge of it.

The Hon. Mr. HALL—I did not say they refused to take charge of it.

The Hon. Mr. BUCKLEY said that they knew at any rate that there was a very great difference of opinion as to the route, and, if a proper survey were made, it might be found that a very much better line could be made. The honorable gentleman also said that the estimated cost of the line was £540,000. They knew that that estimate must have been based upon a very rough survey, and, from his own knowledge of the country in the part of Otago through which

the railway would run, he believed that the line would cost a very much larger sum. The honorable gentleman also said that he thought it was judicious to reserve all our landed estate by making it a means to construct the railways, and that they ought to do it as fast as possible. He did not think that was a wise or prudent course. They would be borrowing money indirectly, and it was to some extent the same as selling the land, because they would have nothing to show for it but the railway. The land would be swallowed up in order to meet the charges for construction. He thought that the Council should be a little careful, considering that the colony had such a heavy debt. They should to some extent conserve a considerable portion of the landed estate of the colony. They would always receive something for the lease of it, and it would at any rate be putting by some portion of the land, which they could hardly look upon as revenue. They should look upon it as capital, and reserve some of it for a rainy day. If they went on in this way, what would be the result in twenty years? They would have a heavy debt. No doubt some of these railways would pay, but they could hardly expect them all to meet the full charges for many years to come. They would have a heavy debt, with nothing whatever to meet it but direct taxation. That would be the legacy they would leave to those who came after them. He thought it would be better that the Bill should be referred to a Select Committee before being read a second time, and he should therefore move, as an amendment, That the Strath Taieri Railway Bill be referred to a Select Committee, with instructions to consider and report upon the principle involved in the Bill, and also upon any other proposals now before Parliament having a like object—the reservation of waste lands for the construction of railways; and with further instructions to consider whether, and, if so, how far, the adoption of such principles may affect the due provision for the charges now existing by law upon the land revenue. Committee to have power to call for persons and papers, and to report in a fortnight. The Committee to consist of the Hon. Mr. Miller, the Hon. Mr. Hall, the Hon. Sir F. Dillon Bill, the Hon. Mr. Hart, the Hon. Dr. Pollen, the Hon. Colonel Whitmore, and the mover.

The Hon. Dr. GRACE said he had taken considerable trouble in order that he might understand the proposition now under the consideration of the Council. As far as the information at his disposal enabled him to form an opinion, he thought the probabilities were in favour of the desirability of constructing this line. It appeared to him that, in a matter of such grave importance, the Government should be altogether responsible for a measure of this kind. He took exception in the strongest manner to the pretensions of any private member who introduced such a Bill to the Council. The public spirit which actuated a private member who introduced such a measure must be admitted, and the necessities of the present complicated political position no doubt went far to excuse the acceptance of such

a responsibility by any private member; but he did not think that that complicated position was sufficient to pardon the acceptance by them of such a measure introduced in such a manner. He thought it very likely that they would be forced into the adoption of some such mode for the construction of lines of railway. Considering their financial position, and considering the urgent necessity of developing the resources of the colony with the view of easing their financial difficulties, they might find it necessary to accept such proposals, even though that course might be in some degree fundamentally undesirable. But he could not think that the interests of the district to which this Bill referred could suffer materially by waiting a reasonable time for the further consideration of the matter, and he fully believed, from the investigations which he had made, that at some later period some Government, and that soon, would introduce such a measure, probably a measure that would be particularly applicable to this district, and then the Council would be in a better position to accept the grave responsibility which the adoption of such a measure in the present condition of their finances necessarily involved. The principle that by the construction of railways the value of the land is increased, which enhanced value goes in liquidation of the indebtedness of the colony accruing from such expenditure, was a principle which all were pretty well prepared to accept. But there were other questions to consider. There was the question as to route, the question as to cost, the question as to gauge, the question as to weight of rail,—the whole question of system would have to be raised in this country. He was credibly informed that we might have constructed railways sufficient for all practical purposes at one-third or one-half the cost we had incurred. In Colorado there were now running railways fit to carry the traffic of the New Zealand railways, and these had been constructed for one-third the cost of the New Zealand railways. The profits accruing from the traffic not only went to maintain the line, but to improve it, if necessary, while the finances of the country were relieved to a large extent owing to the smallness of the money invested and the light charges for interest. In Colorado they were running railways over mountain-tops. Perhaps it would be hardly fair in a hilly country like this to call them mountains, but they were running trains over hills like the Rimutaka, and the lines over which such trains were run had been constructed for one-third the cost of the New Zealand railways. The truth was, he submitted, that we, as Englishmen, had got into a railway groove, and the construction of our railways was very much more expensive than was generally the case in other countries. If such was the case, and if the facts he had stated were correct, it appeared to him that the true interests of the country could not in any degree suffer if in this case there was a delay of twelve months. There was no estimate of the cost of construction: there was no known quantity in the problem, except that of the existence of the land. If that were so—if the cost of construction and all other necessary information

remained in the position of unknown quantities—there could be no reason whatever for any hurry over the construction of this line. He wished it to be clearly understood that he did not take any specific exception to the principles set forth by the honorable gentleman who introduced the measure, but he did take exception to any unnecessary haste, and on that ground he trusted that the Council would see fit to give all parties further time and further opportunity for considering this large question.

The Hon. Mr. MILLER hoped the Council would agree to the proposition made by the Hon. Mr. Buckley, for he was quite sure, if the Committee were appointed and inquiries made into the proposals contained in the Bill, that their report would satisfy the Council that there were ample reasons for the passing of this measure. This was really the first attempt to open the great interior of Otago—at any rate to open up what might be called the great central part of Otago; and when the Hon. Colonel Kenny spoke of this measure as one which only affected a district or locality he rendered himself amenable to the charge of never having looked at a map or made himself acquainted with the country it was proposed to open up. He ventured to say there was no part of New Zealand—and honorable gentlemen could not accuse him of having held up the resources of Otago as superior to those of other parts of the colony—which afforded such great promise of development as central Otago. The country through which this railway would pass must progress to an extent which could not now be anticipated. The railway, if constructed, would open up a district containing nearly two million acres of land—at any rate, one million and three-quarters—and a very considerable proportion of that was agricultural land of good value. It would tap the Lake District, a district as yet comparatively unknown, for there could be no doubt that the line would not stop at Cromwell, but would go on and tap the Lake country. The Hon. Colonel Kenny, before he spoke as he had done of a measure like that before the Council, ought to take a trip through the country, and see what it was he talked about.

The Hon. Colonel KENNY must have been misunderstood. He had not spoken of the railway in a contemptuous sense, but had merely alluded to it as being not a national scheme, but a local scheme.

The Hon. Mr. MILLER said that was the reason he was taking exception to what the honorable gentleman had said. What did the honorable gentleman mean by a national scheme, if a district which possessed such valuable land as central Otago was not to be opened up in this manner? You might as well say that New Zealand was a locality. It must be obvious, provided the advantages it was hoped to derive by the construction of this railway were obtained, that the colony as a whole would benefit thereby. The colony must enormously benefit by the development of such great resources as were known to exist in central Otago. He had always had great respect for the honorable gentleman's opinions, because he knew they were genuine and real, and

expressed exactly what he felt; but if the honorable gentleman's policy was to be accepted it would simply mean stagnation—New Zealand would never progress. Had the honorable gentleman ever been in those parts of the country which had been already opened up by the railways? He (Mr. Miller) could show the honorable gentleman country which ten years ago it was never dreamed would be put under the plough during the lifetime of the present generation, but upon which there now stood the waving corn. He alluded to the Maerewhenua country, about thirty miles from Oamaru. He was up there a couple of years since for the first time for many years, and he rode through 2,000 acres of corn as high as his horse's head. The quantity of grain exported from that district now was enormous. The Council should not continue to harp upon the question of the expense of doing this and that if the work were necessary. He was quite sure, so far as he had been able to judge, that the Committee in another place were quite right in accepting the report of the engineer as to this line being the best. He believed the engineer to be strictly accurate in stating that this was the best line to open up the central part of Otago, although, as a resident of the northern part of Otago, he should not express this opinion so freely if he consulted the wishes of the persons residing in the Oamaru District, because, as was well known, they had been extremely anxious to get another line which ran from the valley of the Waitaki over the Maerewhenua Pass. He did not think they were right. He thought, looking at the interests of the country, this was the proper line to make; and he had not the slightest doubt, if this line were made, whoever of them were spared would live to see the day when it would be admitted that the wisest thing possible had been done in passing this Bill. It had been said, with perfect truth, that, after all, the whole argument hinges upon this: the great increase in value to the land in the district after the line had been constructed. It had been said that the additional value would be represented by 7s. 6d. to 10s. per acre. What did that mean when they came to the figures? There were nearly 2,000,000 acres of land; 500,000 acres were to be reserved. That left over 1,200,000 acres, which, calculated at 7s. 6d. per acre, would return an amount very nearly equal to the estimated cost of the line. That was the principal argument in favour of the Bill, because, if they could arrive at the certainty that they would enhance the value of the land to that extent, they would be running no risk in making the line; and all the arguments so often brought up in the Council about taking away the assets of the colony from the public creditor must be looked upon as simply moonshine. If we could increase the productive power of the country, we need look no further: there could be no question about that. The case of the Maerewhenua country was a case in point, and he had no doubt that there were plenty of instances in Canterbury to which honorable gentlemen could allude equally in point as showing the importance and value of looking at this matter in a fair and

Hon. Dr. Grace

liberal light. They ought not to adopt what he might term the narrow view which the Hon. Colonel Kenny sometimes seemed to take upon these matters. He had no doubt that the Council would agree to the proposal of the Hon. Mr. Buckley, and therefore it would be unnecessary for him to make any further remarks respecting the Bill. He might say that he was at first very much staggered when he looked into the details of the Bill; but it seemed to him that there was such a general desire on the part of the promoters of this measure that the details should be set right, and that the Government should have the whole control over the matter, that there was no need for him to refer further to it. The Hon. Mr. Buckley had asked why the Government had not taken the construction of those railways in hand. Well, he took it that the Government's hands were so full that they had not had time to attend to these matters. He thought it told well for the energy, industry, and enterprise of the people when such a measure as this proceeded directly from the people, supported as it was by arguments which, to his mind, were quite conclusive.

The Hon. Captain FRASER said he intended to support the Bill. The Hon. Dr. Grace had said it would be better to postpone the Bill for twelve months, but he (Captain Fraser) held that a great injustice would be done if that course were taken. This was a scheme to make a railway, and not to deal with the land until the railway was made. A considerable portion of the Crown lands had been surveyed, and he regretted to say that the Waste Lands Board of Otago seemed determined to get rid of all the Crown lands in that provincial district on the system of deferred payments. If this Bill were postponed, a great deal of the waste lands in Otago would be disposed of before the railway was made, and therefore he hoped his honorable friend would not insist on having the Bill postponed. He himself had a thorough knowledge of the country. All the land between the beginning and ending points of the proposed railway was Crown land, with the exception of a few thousand acres: in fact, nearly all the land between Clyde and Strath Taieri was Crown land. There were no engineering difficulties whatever to be encountered, though perhaps the making of the line through the Taieri Gorge would add a little to the expense. The railway would run near to the Town of Naseby, which stood at an elevation of 1,600 feet above the level of the sea, and near that town he had seen as fine crops of potatoes and oats as could be seen in any part of New Zealand. The whole of the land up to the Maniototo Plain was of good quality. That plain was bounded on two sides by high and well-grassed hills, and on one side of it there were a lake and a river, and the land in that locality was as good as any which could be found in any part of the colony. On the north-west side it was bounded by a low range of sedimentary hills, containing gold throughout. The Government had made a large water-race, and had been at great expense in making a sludge channel; and the farmers settled in Maniototo would always find

a good market for their produce in the Town of Naseby. Much of the country between Maniototo and Manuherikia might, he thought, be put under crop. At Clyde the grape and the almond tree grew to perfection, and fruit of all kinds would thrive; and he had no doubt the district would in time be called upon to supply Dunedin and other parts of Otago with fruit. It would be a great mistake if the railway stopped at Clyde; it should go on to Cromwell at once. There were no engineering difficulties in the way, and Cromwell should certainly be the entrepôt. There were about 800,000 acres of good land in this district, a great part of which might be put under cultivation. He knew the whole country well, and he knew that cereals would grow well there. The Hon. Colonel Kenny had spoken of this as a purely local matter, but that was a peculiar view to hold, considering that it affected the whole of the colony. One-third of the population of the colony was in Otago, and, when so great a proportion of the inhabitants of New Zealand were interested, it could not be called a local matter, for it was in reality a national one. This line would open up a vast extent of country beyond Cromwell, and would run through fine agricultural and pastoral lands, and he had no doubt that the day would come when the colony would be dependent for much of its wheat on the district referred to. He trusted that there would be no opposition to the Bill, as it was one which would do a great deal for the interests of Otago and other provinces also.

The Hon. Mr. MENZIES agreed with the honorable gentleman who moved the second reading of the Bill that the land revenue could not be more legitimately applied than to the construction of works of a useful character, such as railways, harbour works, &c. Such works always paid, because they lessened the cost to the community of transit, shipment, and so forth. In many parts of the country it had been found to be much less expensive to form railways than to form good roads, owing to the absence of proper materials for forming roads. Those who had anything to do with the forming of railways some twelve or fifteen years ago, when railways were first begun in this colony, knew very well that the expense of forming those railways was very much greater than it was at present. In those days there were very few engineers in the colony, and comparatively few contractors. The price of iron was high, and it was difficult to obtain supplies of material, owing to the fact that communication with England was much less frequent than at present. There was no doubt, however, apart from that, that the price which had been paid for the construction of railways was very much higher than it ought to have been. The Hon. Dr. Grace had compared the cost of the railways in New Zealand with the cost of railways in Colorado, and that honorable gentleman had observed that railways constructed on the principle proposed in this Bill, as they were in Colorado, could be more cheaply made. He (Mr. Menzies) did not see that at all. He apprehended that the rate of wages and the cost of material had much more to do with the cost of the rail-



ways than the mere principle on which they were constructed. He could not see why a railway constructed on this principle could be made at a less cost than those constructed on any other principle. He did not think it made much difference whether the railways were constructed with borrowed money or whether land was given for the construction of them. The Hon. the Colonial Secretary had told the Council that a railway constructed on this principle involved no burden on the colony. Did it cost the colony one whit less whether the railways were paid for by borrowed money or in land? The cost to the colony would not be one penny less if land were given for the making of the railways.

The Hon. Colonel WHITMORE explained that what he had said was, that the land would be increased in value if this railway were constructed, and that the increment in value would pay the cost of the construction of the railway.

The Hon. Mr. MENZIES had misunderstood the honorable gentleman. He accepted the honorable gentleman's explanation, for it showed that his views were quite in accordance with his (Mr. Menzies') own. He, however, did not agree with the honorable gentleman and some other honorable members that the land would rise in value only in consequence of the construction of this railway. He held that the land would rise in value whether the railway was made or not. Land in this colony was bound to rise in value very quickly. They all knew instances in which, in comparatively recently settled districts in the South, where the land was of good quality, the value had risen in five or six years from the upset price of £1 per acre to £7 per acre. And in those districts the agricultural land had nearly all passed out of the hands of the Crown into those of private individuals. Under such circumstances, the land must rise in value whether railways were made or not. And so would pastoral land. Pastoral land was abundant at present. It was true that there was not much of it open for sale; but as it came into the market there was no doubt that it would be eagerly bought up in a very few years: without any connection with the construction of railways, that land would increase in value quite as much as his honorable friend Mr. Hall pointed out would be the increase in value of the land in this particular district upon the construction of the railway. Supposing this railway were not constructed for the next three or four years, the pastoral land in the district was likely to rise in value independently altogether of the railway construction. He was well aware of the fact that land rose in value where railways were constructed. In all parts of the country where there was a considerable tract of arable land the experience of the last few years especially showed that that land rose very much in value in consequence of the increased facilities given by the construction of railways for the transit and export of produce to the shipping ports. He did not feel inclined to support this Bill; indeed, he should be disposed to vote against the second reading to-night; but, at the same time, he would be reluctant to vote against the proposed amendment to refer the Bill

*Hon. Mr. Menzies*

to a Select Committee in order to ascertain how far the Committee could recommend the Council to assent to the proposal. There were some parts of the Bill he could assent to, but he could not agree to the whole of the Bill for two or three reasons. In the first place, he considered that this was a work which should be done by the Government.

The Hon. Colonel WHITMORE.—It is done by the Government.

The Hon. Mr. MENZIES.—It was not done by the Government according to his (Mr. Menzies') view of the matter. The Government had already undertaken the construction of railways, and it should not allow the power to construct main lines to pass into the hands of private individuals. This Bill proposed to give a trust consisting of a number of individuals the control of the matter—the power to accept contracts and see to the management of the railway. It necessarily involved the question of establishing an extensive staff, in order to carry out these works—an extensive engineering staff to make the necessary surveys, take the levels, and see that the work was properly carried out. The Government already possessed such a staff. The work that the Government had been engaged in for a number of years past had now drawn so near to a close that its staff would by-and-by have much less to do. The engineering staff would no doubt require to be reduced. For all he knew, that had already been done. Seeing that the work was so far completed, the necessity for continuing the strong engineering staff the Government had had for so many years back no longer existed. If the colony was prepared to sanction the construction of this work, the Government should undertake it—it should undertake the preliminary work and the supervising work, without any additional expense, the present staff being quite sufficient to enable it to do the work. He held that all the leading lines of railway should be in the hands of the Government, and that only branch lines of a purely local character should be intrusted to private companies. He should be disposed to object to another Bill, which was read a second time the other day—the District Railways Bill—on that ground, were it not that he saw that the whole matter was under the control of the Government, which might stop any work which it thought would in any way conflict or interfere with the lines it had already constructed. He thought that Bill might be allowed to pass, with some alterations which were absolutely necessary. In this particular case he held that, while it was judicious and wise to set aside land to the full extent asked for in this Bill for the purpose of constructing a line of railway leading to the interior, that was the greatest length to which they ought to go at present. They had not sufficient information in detail to justify them in coming to a conclusion that this line was the best. Apart from that, the Government should undertake the necessary surveys in the course of the next year, during the recess, and be prepared in a future session to give the Council statistics regarding the line—full particulars such as they were entitled to expect

before they were asked to agree to such a proposal. They should have engineering estimates in detail submitted to them, and all other requisite information, so that they might be in a position to determine whether this line should be constructed or not.

The Hon. Dr. GRACE rose in explanation of the matter to which his honorable friend had referred. The honorable gentleman had not thoroughly understood his remarks, and did not appreciate them. He (Dr. Grace) had said that it would be necessary to depart from their custom in the direction of railway construction—that it would be necessary for them to learn to construct cheaper lines on the principle of those in vogue in Colorado. The small cost of the construction of those lines, involving a very small charge for interest money, resulted in this: that the lines were cheaply constructed, that the district was equally improved by the cheaper line, and that, from the increased profit on traffic and the general improvement of the line, such profits resulted as were sufficient to improve the line in proportion to the requirements of the district. He submitted that this was a very important consideration to this colony, and one which, if honorable members would inquire into it, they would find had been justified by experience.

The Hon. Captain FRASER fully agreed with what the Hon. Dr. Grace had said. When at Home he visited the Festiniog Railway, which was only a two-foot gauge, and he believed that if they had adopted such a system of railways in the interior of Otago they would have effected a saving of £100,000. The tunnels on that line of railway were like rabbit-holes. He believed that his honorable friend Sir F. Dillon Bell could support what he said. If a similar plan were adopted in the construction of the branch lines of railway in this colony a great saving in the expense would be effected and a larger revenue derived.

The Hon. Mr. PEACOCK was afraid this Bill had not been well considered by those who drafted it. Clause 4 says, "The Government may construct and pay for the same out of proceeds of lands reserved." He understood the honorable gentleman who moved the second reading of the Bill to say it was proposed that lands should be reserved in order that the Government might hereafter benefit from the increased value arising from the construction of railways. He wanted to know how the Government proposed to pay for the work in the meantime, unless they at once sold the land or borrowed money. If the land was sold at once, the railway might be constructed, but the Government would not be benefited by the expenditure of the money. He knew it was intended by the honorable the mover that the Government should benefit by the increased value of the property. He did not support the Bill at all, and he did not see that there had been any good reasons urged why they should go on with the second reading now. He thought it would be far better for the country if they were to finish all the railways which were in hand at the present time. They had an enormous expenditure now going on,

and there was no likelihood of their having any return for it until the lines were complete. It should be the great aim of the Government, before undertaking any other line of railway, to complete those they had already in hand, and so relieve the country from the heavy burden under which it at present groaned. He did not think it was advisable that the country should endeavour by all means to part with its lands. He thought it would be better to husband some of those lands. As population increased, the land would be required, and it would be as well that they should have land for the people to go upon then, instead of disposing of it in the way proposed. It was just as well that some of the land should be shut up, instead of parting with it for speculative purposes. One objection he had to this Bill was that he really thought a measure of this kind should emanate from the Government—they should be responsible. What he had intended to propose before the Hon. Mr. Buckley moved his amendment—he did not know whether he should be in order in doing so—was that they might accept three clauses of this Bill at all events. He believed the immediate object of the promoters would be gained, it being that the land should be reserved from sale: if that were done, he thought they would be satisfied. As he could not now move an amendment, he would throw out a suggestion to the Select Committee to which the Bill would be referred, that they should consider a recommendation to the Government to set apart this reserve of 400,000 acres, and that the Minister for Public Works should, as soon as possible, make a detail survey, &c., and lay the same with all particulars before Parliament next session for its approval or otherwise. It was not expected that the Government would begin before twelve months were passed, and then, if they did not commence the work, some other course should be taken. He did not disapprove of the setting aside of land for remunerative purposes. It was just as good as borrowing money. At the same time, in this case the Government should be benefited by the increased value of the land, instead of private individuals.

The Hon. Sir F. DILLON BELL said there were two points involved—one relating immediately to the Bill itself, and the other relating to a subject rather wide of the Bill, but which was raised in effect by the proposal of the Hon. Mr. Buckley to refer the question generally to a Select Committee. The promoters of the Bill had very good reason to congratulate themselves on having placed the measure in the hands of the Hon. Mr. Hall, because he was sure there was no member representing the Otago District who would have presented the proposal in a more attractive way than the honorable gentleman had succeeded in doing. Whatever might be the result of the debate, the honorable member had done his best to get the Bill passed; and the people of Otago, who were largely interested in the question, would have reason to thank him for the way in which he had introduced it to the Council. However, his honorable friend had gone into details which, by rather ingenious quo-

tations from the evidence given by him (Sir F. Dillon Bell) before the Select Committee of the other House, made it appear that he had been a strong advocate for the particular route described in the Bill. The honorable gentleman did not rightly understand the view he took of the matter, and he would endeavour in a few words to show to the Council why he thought they ought to pause before they gave an immediate assent to the proposal, and why there were reasons to think that the expectations which were held out might not ultimately be realized. Before he went into that matter, however, he would first refer generally to the construction of a railway into the interior of Otago, and he did so especially in regard to the view which he understood to be advocated by the Hon. Colonel Kenny. There was a vast tract of pastoral country in the interior of Otago which was at present occupied mainly by a gold fields population, and which was thought by many people to contain land capable of growing wheat, and therefore of sustaining a large population. The people of that district contributed largely to the taxation of the country, and paid their full share of the burdens that the railway system had imposed upon the country. These people said, "We have a fine territory which, we tell you, is able to carry a large additional population: will you give us neither a road nor a railway to it?" When the Legislature abolished the system of provincial government this question was raised over and over again: "In what way, if you abolish the means by which the wants of the outlying districts have hitherto been met, are you going to supply their place?" On the one hand, there were a great number of people who said, "If you abolish the provincial system you will have nothing to take its place for opening up the country;" while, on the other hand, there were quite as many people, of whom Sir Julius Vogel was the chief, who said, "If you carry Abolition you will never hear the words 'roads and bridges' in the Parliament of New Zealand." But the quiet country settlers, who grew their wheat, or oats, or wool in the interior, and did not spend their time walking on the pavements in towns, had all along feared that when the provincial system was abolished they would be met by the greatest difficulty that had yet existed in the colony—namely, that while the whole apparent resources of the colony were being pledged for making railways along the coast-line, there would be very little money available for extending colonization into the interior, and fulfilling that which the Provincial Governments aimed at—the settlement of the country. He now asked honorable members how they proposed to answer the question put by people like those who lived on the Maniototo Plains. Were they to have nothing to enable them to carry their produce to the seaport? Honorable members might see on the Order Paper of the other House motions which had been lying there for weeks to the effect that, as it was patent to everybody that the County Councils could not make roads, it was the duty of the General Government to do it; and Parliament was asked to find the money. What was the practical result of that? Why, nearly

*Hon. Sir F. Dillon Bell*

£200,000 was asked for upon the Supplementary Estimates merely for the construction of roads this year. Did the late Colonial Secretary or the present Colonial Secretary propose to inform the Council out of what fund that money was to be paid? Every day on the Order Paper of the other House new proposals appeared for fresh sums of money on the Supplementary Estimates for the construction of roads and bridges. The Otago settlers in the interior, for instance, asked, "How are you going to give us the means of access to the seaboard?" It was quite certain the county system could not give it. There were no means by which this great tract of land could be made available for settlement, unless the colony was prepared to spend a great deal of money upon it. It might be pretended that that was the business of the people concerned, and not the business of the Legislature. But they might depend upon it that this was only the beginning of urgent applications of the same sort which would come from every part of the colony, North and South, which they must consider on some definite and broad ground, and could not hope to put aside. The Hon. Mr. Buckley said, "There are a great many proposals of this kind coming before us; let us refer them all to a Select Committee, and let us see how the proposals and the principles can be applied, and how we can best deal with them." That, he thought, was a most reasonable course; and he was glad to find that the honorable gentleman in charge of this Bill agreed to it, because in all probability, if some proposal of that sort had not been agreed to, those who were interested in this Bill would have seen it thrown out on the second reading. But his honorable friend, in the evidence he had quoted, had not shown the Council what the real difficulty was about the Strath Taieri line. The Select Committee of the other House of Parliament had come to the conclusion they did upon the recommendations contained in the report of the District Engineer, Mr. Blair. But the Engineer had not had time to make anything but a flying survey, and there were no detailed estimates to enable them to judge of the cost of this proposed line. Mr. Blair said, "In conclusion, if it is the intention of the Government to take steps towards constructing a railway into the interior of Otago, I have no hesitation in recommending the Strath Taieri line as emphatically the shortest and easiest route, that will in its course open up the most good country for settlement." But he also said, "I cannot without a more detailed survey give anything like a trustworthy estimate of the cost of a railway from Dunedin to Cromwell *via* Strath Taieri." Now, if the Committee had thought it worth while to dwell upon the evidence of Mr. James McKerrrow, Assistant Surveyor-General, whose opinions on this matter were the more deserving of consideration because he was a man of inflexible integrity and fairness, whose attainments as a surveyor were second to none in the service, they would have seen that his opinion was that there would be enormous rock-cuttings required to secure the gradients which the Hon. Mr. Hall had said his (Sir F. Dillon Bell's) evidence so

much commended. The gradients, if so obtained, were undoubtedly better on the Strath Taieri than on any of the other alternative lines, and the quantity of available agricultural land open for settlement was very much greater on the Strath Taieri line; but he feared that what he had told the promoters and his honorable friend Mr. Hall about the cost would be borne out, and that, instead of £600,000, more nearly £1,000,000 would be required to make the line. When the promoters asked him to support this measure he told them they had not taken sufficient means to inform the Legislature about the probable cost, and they would find the quantity of land which they were setting apart as a fund out of which that cost was to be provided was not enough. It would be a very serious thing if it should be found—not upon a flying examination with levels taken after a few days' inspection of the country, but upon those further detailed surveys which alone could justify the Government in undertaking a work of such magnitude—that the quantity of land proposed to be set apart was quite inadequate to meet the probable cost of the line, and that a considerable addition would be necessary to supplement the original reserve. Now, the reference to a Select Committee would enable questions of this kind to be investigated. They might come to the conclusion that they could not leave the population of the interior of Otago without some means of access to the coast, and that it would be cheaper to let them have a railway than to make and maintain a road, which would otherwise be necessary: but there was a point with regard to which he could not yet agree with his honorable friend. It was assumed that the whole of this district would grow wheat profitably. He had already said, on more than one occasion, that he regarded that as very doubtful. There was a large quantity of available good land on the line of the proposed railway, but it had not yet been conclusively shown that it was capable of growing wheat, though it would grow oats; and he believed that if the greater part were only capable of producing oats the railway would not be reproductive: and the Committee might well take evidence on that point. But the most important question remained: How could it be expected that the Council would agree to a proposal for making this railway, without reference to the numerous other proposals that were before Parliament for making railways by means of large reserves of Crown land in Otago and Canterbury, as well as in other provinces? It was therefore all the more necessary to learn to what extent it was intended that this principle should be applied, and what was the ultimate expenditure into which the country might be led. These questions could be considered by the Committee proposed by the Hon. Mr. Buckley. He agreed with the principle upon which the Hon. Mr. Hall dwelt in moving the second reading of this Bill, but thought its application and its results ought to be considered by the Council over a much wider field of inquiry. For a long time he had been convinced that the course they had taken in finance had ended in placing the colony in a position of serious and immediate

difficulty, which had been aggravated by the changes made last year in the charges that formerly existed upon the Land Fund. There was nothing more true than the doctrine the Hon. Mr. Hall laid down, that it was wise to make the land the means of executing such public works as the one referred to in this Bill. But that principle was not one to be applied to one particular district in one particular province: it was a principle which, if adopted at all, must be applicable over the whole colony. The time was come when they would be inevitably obliged to complete the abolition of the provincial system, by placing the whole resources of the State in one common fund, for the purpose of dealing with that fund as the interest and welfare of the whole State demanded. How were they to meet demands daily increasing upon the Consolidated Fund for precisely the objects which his honorable friend and himself agreed that the Land Fund ought to be specially applicable to? Was it right that the House of Representatives, if it ever got to the Estimates this year at all, should load the Supplementary Estimates with sums for every sort of road and bridge, to be charged on the Consolidated Fund, when every one knew to an absolute certainty that the Consolidated Fund could not bear it? What was the use of asserting the principle that such objects should be provided for out of the Land Fund, when everybody knew that there existed a large deficiency in the Fund, which would have to be made good by the taxation of the people? If a consideration of that kind was worth thinking of, if they could not, without losing their own self-respect, give their assent to Estimates which they knew could not be paid for, the Council should take into consideration what it was they had done about the charges placed on the Land Fund already. If they looked at the Financial Statement of the present year they would see that the charges placed on the Land Fund for the current year amounted to about £650,000. Therefore, to meet those charges, including subsidies under the county system, they had to provide for raising out of the Land Fund throughout the colony a sum of money not much less than £800,000 or £900,000 in every year. Now, although there was lying in the Treasury half a million of money from Canterbury land sales, there was very little being received from land sales in other provinces. The charges imposed by law on the Land Funds of the two Provinces of Otago and Canterbury alone now amounted to little less than £300,000 a year. Then this question arose: If they assented to the proposals, made in the other House of Parliament, to set aside large tracts of land for the construction of various lines of railway, how would they get money enough from the Land Fund to meet the charges already laid upon it? Let them take the proposals which were to be found on the Order Paper of the other House. There were 200,000 acres for a line by Shag Valley into the interior of Otago; there was the Canterbury railway reserve of 300,000 acres; a proposal to lay aside 250,000 acres on the West Coast; 20,000 acres in Nelson; land to the value of £50,000 for the Tapanui Railway; lastly

60,000 acres for a railway to Fortrose and Edendale. Therefore, if they applied this principle of reserving lands for railways to all the provinces, they would very soon deprive themselves entirely of the means of meeting the large charges which they placed upon the Land Fund by the Financial Arrangements Act of last year. At the present moment large advances were being made out of the Consolidated Fund to carry on the land administration of nearly all the provinces except Canterbury and Otago.

The Hon. Dr. POLLEN.—And Otago also.

The Hon. Sir F. DILLON BELL said those advances need never have been made in the case of Otago, if the pledges made in the Provincial Council in Otago, that the railways built by the province should be paid for out of sales of land to be made for the purpose, had been fulfilled. What was the result? The land was not sold, and they had a vast amount of provincial liabilities in Otago which the colony was now called upon to pay. The Consolidated Fund was being drained for advances in aid of the Land Fund; and, if everywhere they reserved the saleable land at present remaining, where would they in future obtain the money requisite to recoup the Consolidated Fund for those advances? The course they were taking made it absolutely certain that in a short time there would be no money available; and the inevitable result of reserving the saleable land in Otago would be that they would be obliged to sell the pastoral lands to the present occupants. Was that a thing which they considered it wise to be driven to? Was it advisable to pass new railway schemes in order to bring about that inevitable end? If so, let them do it with their eyes open, and let them realize the ultimate result to which they must come. As to other provinces, and especially those in the North Island, what did they propose to say to people in districts where there was no Land Fund, who were asking them for railways and roads, and for the colonization of their country? Would it be a sufficient answer to them to say that the principle which the Hon. Mr. Hall was contending for was a correct one, so long as it did not apply to them? Did the Council mean, by the principle, that where there was no Land Fund the settlers must be taxed, while the people who lived in districts where there was a Land Fund were to have such roads and railways as they pleased? It was certain that they could not meet the charges upon the Land Fund if they checked the supply of land in the market, and it was just as certain that they could not meet the charges upon the Consolidated Fund at all. But, if this was undeniably true, then it followed that, whether they liked it or not, they must deal with any new propositions for railways on a basis totally different from that on which they had been accustomed to deal with the schemes of the past. The first step was to see whether they could pay their way, and the Select Committee now proposed would have to consider how far the adoption of the principles laid down by his honorable friend would affect their capacity to do it. He was very much mistaken if this would not be found to be

*Hon. Sir F. Dillon Bell*

the result: that there was only one way by which they could pay their way at all, and that was by unifying the finances and treating the Consolidated and Land Funds as one common revenue, out of which they would deal with every proposal as it came up; with every due regard to the wants of particular districts certainly, but looking to their liabilities to the public creditor and the interests of the whole colony first of all.

The Hon. Colonel BRETT confessed that he had his doubts and fears about this Bill, but, at the same time, he must say that the Hon. Mr. Hall deserved the thanks of the Council for the manner in which he had brought the subject forward. Still, there were points untouched upon which he should have liked a little more information. The honorable gentleman did not allude to the population of the country through which the line would pass, neither did he say whether it was an agricultural district. To his mind those were the two most prominent matters to be taken into account in considering a proposal for the construction of a railway. He also felt rather inclined to oppose the Bill on the ground that the late Government on all occasions refused to sanction the construction of railways until the completion of the lines already in hand. That was a strong objection to this measure. At the same time, he was an advocate of progress. He maintained that they ought to assist in promoting the progress of the country, and he was on that ground disposed to support the second reading of the Bill. He was certainly disappointed with the speech of the Hon. Sir F. Dillon Bell. It left him in doubt as to which way the honorable gentleman was going to vote. As that honorable member was a resident of the district he should have thrown sufficient light upon the matter to remove all doubt from the minds of honorable members; but those doubts were increased, instead of being removed. As he had stated, his (Colonel Brett's) only objection to the Bill was that he thought the lines already commenced should be finished before these proposals were entertained. Besides, they had to consider what their means were. Had they the means? It was true they had the land, and land was money. There was no doubt about that. He would reserve his vote until the report of the Committee was brought up. The Committee was well selected, and he did not doubt that it would carefully consider the matter before arriving at a decision.

The Hon. Mr. HALL, in answer to the remarks of the Hon. Colonel Brett, said the population of the district to which the railway would run was considerable, and it would bring the centres of population on the Otago Gold Fields into improved communication with Dunedin. The population in the neighbourhood of that part of the proposed line which was near Dunedin was small at present, for the reason that the land had not yet been thrown open for sale or settlement; but the line would run through a large amount of good agricultural land, and that land, when it was thrown open for settlement, would carry a large population, a population which, if the railway was made, would

form a thriving community, and would add largely to the wealth and prosperity of the colony. He would make a few remarks in reply to what had fallen from other honorable members. The only remarks he had to complain of were those made by the Hon. Colonel Kenny. He understood the honorable gentleman to say that he (Mr. Hall) was not justified in claiming to be disinterested in this matter, and that he was supporting the Bill because a Canterbury Bill of a similar nature was about to follow. He did not think those remarks found an echo in the breasts of many honorable members in the Council. He could appeal to honorable members to say whether on former occasions he had not always advocated the principle upon which this Bill was based—that in its lands the colony had a source of revenue which should be made to contribute to the cost of constructing large public works and harbours. He supported the Riverton and Wanganni Harbour Bills when they were brought before the Council, and when there was no question of any similar Bill affecting his part of the colony being introduced. He could only say that his honorable friend, in imputing such motives, did great injustice to him, but still greater injustice to himself. The honorable gentleman stated that this was a purely local matter, and yet, almost in the next breath, he went on to say that the Bill was to be followed up by other similar measures, and that the policy that ought to be pursued was a national policy. If this Bill would develop the resources of one portion of the colony, and if other similar Bills would develop the resources of other parts of the colony, did not that constitute a national policy? Was not that developing the resources of the various parts of the colony? It seemed to him that that was truly a national policy, and he said most positively that he wished for no other. It was also argued that they were doing an injustice to the public creditor; that the Crown lands of the colony would be swallowed up by making railways out of the public estate. He had already pointed out that in this particular district they were proposing to take only 400,000 acres out of an available area of 6,000,000 acres; and he would ask the Council whether the increased value which would be given to the remaining lands of the district would not in itself be far greater than the cost of the railway. But, as a matter of assets, the honorable gentlemen spoke as if they were going to take the proceeds of that land and throw it into the sea, whereby they would be so much the poorer. What would, in reality, be the position of the matter? If they spent £500,000 or £800,000 on this work, if it was spent wisely and well the railway itself would be an asset for themselves and for the public creditor. In fact they would be much the richer, because not only had they the increased value of the land, but they had the railway, which ought to produce a very considerable revenue. It would not only pay itself, but it would help, as all these branch railways would, to make the other railways pay. It would be a very important feeder to the main lines which were already in the course of construction, if not already completed, and it might in some cases make all the

difference between those lines being worked at a profit or at a loss. He felt, with regard to this point, that the more they discussed the matter, the better the principle for which he contended would be understood. Therefore he did not complain of the argument of the honorable gentleman. The Hon. Dr. Grace stated,—and the remark was repeated by several other honorable members,—that this was a Bill which should emanate from the Government of the day. He was not at all prepared to dispute that. No doubt this was a Bill which should, under ordinary circumstances, come to the Council recommended by the Government; but he would point out that it was actually recommended by the Government. The Colonial Secretary showed that the Government had given the matter considerable attention, and that the Bill was recommended by the Government. Still, he was willing to allow that it would have been better if this line had formed part of the scheme of the Government. They all knew, however, that the Government had, owing to press of time, not been able to address themselves to a full consideration of this subject, and the question arose whether, if a private member showed that the construction of a particular railway would assist to develop the resources of an important part of the colony, the Council should refuse to consider the matter. He thought, under all the circumstances, that it would not be wise to reject the Bill on that account. The Hon. Mr. Menzies objected to his argument that one great benefit from this line was that it would increase the value of the land through which the railway would run. The honorable gentleman said it was well known that the land would increase in value even where there was no railway—that the lapse of time and the growth of settlement would give it an enhanced value; but surely their experience told them that a railway would double and even quadruple the value of the land. He did not deny that land did increase in value without a railway; but it was indisputable that the increase would be far greater where there was a railway. The honorable gentleman also said that the Bill gave too much power to the trust that was to be constituted; but he (Mr. Hall) had already said that he was willing to withdraw that part of the Bill. The Hon. Mr. Peacock remarked that they ought to husband the land—that they were parting with it too freely; and he was supported in that view by the Hon. Mr. Buckley: but that argument had come rather unfortunately from two gentlemen from the Province of Canterbury, where the land was actually being sold as quickly as they could get people to buy it. It might be the case in Canterbury that the Crown lands were being got rid of too rapidly, but he did not think that could be said of Otago, where the land had been too much held back. He knew for a fact that some of the large purchases that had been made in Canterbury had been made by settlers who came from Otago, because they could not obtain land there. The same remark would apply to Southland, where the system of free selection prevailed. His honorable friend Sir F. Dillon Ball

said, substantially, that the application of the Land Fund to the development of the waste lands should not be confined to one part of the colony. He quite agreed with that. He did not think anything had ever fallen from him which would imply the contrary opinion. He would be glad to support a proposal of the kind coming from any part of the colony, if it could be shown that it was a prudent proposal and likely to produce a satisfactory result. Then his honorable friend said, "What are we to do in those portions of the colony where the waste lands have already been sold, or where there is no land to sell?" He submitted, first, that a more urgent plea existed for measures of this kind where there were great quantities of Crown land unsold. Those were the districts where this principle should be first applied: but he did not mean to say that lands already sold should go without railway communication. We had entered into a scheme of public works, and we must go through with it prudently and carefully, and we could not see one part of the country enjoying all the facilities of railway communication which others were obliged to go without. It was quite true that we could not in some parts of the colony make railways from the proceeds of the land. There we must do it out of loan; and surely that was an additional reason why we should make railways out of the proceeds of the land where possible, and not add to the indebtedness of the colony except for works in those parts of the country which were not so well off in respect to waste land. The colony would need all its credit to enable it to make railways where there was no land to sell. The honorable gentleman had made some remarks upon the general financial position of the colony, and had referred to a necessity, in his opinion, for generalizing the Land Fund. He (Mr. Hall) did not mean to say that the time might not be approaching when the system established in 1856 must be reconsidered. He was one of the few remaining of those members who were parties to the inauguration of that system, and he thought it was a fair arrangement, and, moreover, that it had been productive of great advantage to the colony; but, at the same time, he was not prepared to deny that present circumstances necessitated some further consideration of the matter. But he hoped honorable members would consider this: that, if there was to be a generalization, they must ask themselves, "What is the Land Fund?" In Otago the land is sold at £1 per acre, in Canterbury at £2, in other places at 10s., and in some places even as low as 5s. Could the Land Fund be generalized to this extent: to take from the people of Canterbury not only the pound they gave for the land, but the other pound they paid on the distinct understanding that it should be spent in making roads? That was the reason why £2 was paid—because in Canterbury they thought it right and wise to raise from the proceeds of the sales of land sufficient funds to make the land accessible; therefore he hoped this aspect of the question would be considered. There must be a consideration of the fact that a larger amount was paid in Canterbury for the same article than was paid in other parts of the colony.

*Hon. Mr. Hall*

The Hon. Mr. CHAMBERLIN.—Not the same article.

The Hon. Mr. HALL was not aware whether the Hon. Mr. Chamberlin had that intimate acquaintance with any part of the colony besides Auckland which would entitle him to contradict the statement he (Mr. Hall) had made. Did the honorable gentleman know what kind of land was being sold for £2 an acre in Canterbury? He ventured to say that the honorable gentleman had no more idea of it than he had of what the land in the moon was worth. He would be quite surprised at some of the land for which £2 an acre was paid in Canterbury: he could not have any idea of the quality of the land which brought that price.

The Hon. Mr. CHAMBERLIN.—Yes, I have.

The Hon. Mr. HALL ventured to differ from his honorable friend, for he was sure that if he did know he would not have made that remark.

The Hon. Mr. CHAMBERLIN might be allowed to explain what he meant. The difference between the Canterbury land and land in the North Island was this: that in Canterbury a person might put his plough into the ground immediately he purchased it, and in a few months after have a crop of wheat, &c.; whereas land in the North Island was so thoroughly covered with forest, bush, and scrub that it cost £5 or £6 an acre to put it into a condition to obtain anything at all from it.

The Hon. Mr. HALL thought his honorable friend was labouring under a delusion. However, he would not proceed to discuss the question any further. The only other remark he wished to make was this: His honorable friend the Hon. Sir F. Dillon Bell had referred to the perfunctory character of the estimates of the cost of the railway placed before the Committee. Although he (Mr. Hall) admitted that the surveys at present made were not such as the Government would be justified in accepting and acting upon, still they had the opinions of Mr. Blair, an engineer of acknowledged eminence, of the Surveyor-General, of Mr. McKerrow, and others; and he ventured to suggest that the Council could not expect much more definite opinions in the present stage of this work. Although he felt sorry that the Council did not feel inclined to read the Bill a second time, because he thought it a good measure, still he should not object to the Bill being referred to the Select Committee.

Amendment agreed to, and Bill referred to a Select Committee.

The Council adjourned at five minutes past twelve o'clock a.m.

## HOUSE OF REPRESENTATIVES.

*Tuesday, 13th November, 1877.*

*Buller River—Armed Constabulary—Land Bill.*

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

**BULLER BRIDGE.**

Mr. BAIGENT asked the Government, If they will make provision for the erection of a bridge over the Buller River, where it crosses the main line of road from Nelson to Reefton? At present, owing to the absence of a bridge over the river, it was most dangerous to travel from Nelson to Reefton. It frequently happened that it took a week to make the journey.

Mr. LARNACH might state, for the information of the honorable gentleman, that the Government intended to make inquiries in reference to this matter, and would be able to deal with the question in a few days.

**ARMED CONSTABULARY.**

Mr. GISBORNE asked the Minister in charge of the Defence Force, On what terms, as to notice and otherwise, the reductions in the Armed Constabulary Force were made during last recess? If there was any rule in force under which notice was given to the persons who had been discharged from the Armed Constabulary Force, he would like to know what it was.

Mr. SHEEHAN said that the members of the Armed Constabulary Force had no claim to notice or to compensation in the event of their being discharged, but when the force was reduced each officer received a gratuity equal to four months' pay, and each private got one month's pay.

**LAND BILL.**

This Bill was further considered in Committee.

Clause 98.—Rent of runs in Canterbury assessed on carrying capacity.

Mr. LUMSDEN moved, That, in the words "nor less than ninepence for every head of sheep," the word "ninepence" be struck out, with a view to insert the words "one shilling."

Question put, "That the word proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	36
Noes	...	...	...	...	26
					—
Majority for	...	...	...	...	10

**AYES.**

Major Atkinson,	Mr. Murray-Aynsley,
Mr. Beetham,	Mr. Ormond,
Mr. Bowen,	Mr. Reid,
Mr. Curtis,	Mr. Richardson,
Mr. Fitzroy,	Mr. Richmond,
Mr. Gibbs,	Mr. Seymour,
Mr. Gisborne,	Mr. Sharp,
Mr. Harper,	Mr. Stafford,
Dr. Henry,	Mr. Sutton,
Mr. Hodgkinson,	Mr. Tawiti,
Mr. Hunter,	Mr. Teschemaker,
Mr. Hursthouse,	Mr. Wakefield,
Mr. Kennedy,	Mr. Wason,
Mr. Larnach,	Mr. Whitaker,
Mr. Macfarlane,	Mr. Woolcock.
Mr. Manders,	
Mr. McLean,	
Mr. Moorhouse,	
Captain Morris,	
	<i>Tellers.</i>
	Mr. Rolleston,
	Mr. Stevens.

**NOES.**

Mr. Ballance,	Mr. Nahe,
Mr. Barff,	Mr. Rees,
Mr. J. C. Brown,	Mr. Seaton,
Mr. Burns,	Mr. Sheehan,
Mr. De Lautour,	Mr. Shrimski,
Mr. Dignan,	Mr. Swanson,
Mr. Fisher,	Mr. Tairaoa,
Sir G. Grey,	Mr. Thomson,
Mr. Hamlin,	Mr. Tole,
Mr. Hislop,	Mr. W. Wood.
Mr. Joyce,	
Mr. Macandrew,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Lumsden,
Mr. Murray,	Mr. Stout.

The amendment was consequently negatived.

Clause 110.—Present holders may elect to hold under assessment.

Mr. STOUT moved, That the word "ninety" be omitted, with the view to insert the words "eighty-five" in lieu thereof.

Question put, "That the word 'ninety' stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	36
Noes	...	...	...	...	28
					—
Majority for	...	...	...	...	8

**AYES.**

Major Atkinson,	Mr. Richardson,
Mr. Beetham,	Mr. Richmond,
Mr. Bowen,	Mr. Rolleston,
Mr. Curtis,	Captain Russell,
Mr. Gibbs,	Mr. Seymour,
Mr. Gisborne,	Mr. Stafford,
Mr. Harper,	Mr. Stevens,
Mr. Hunter,	Mr. Sutton,
Mr. Hursthouse,	Mr. Tairaoa,
Mr. Johnston,	Mr. Tawiti,
Mr. Larnach,	Mr. Wakefield,
Mr. Macfarlane,	Mr. Wason,
Mr. Manders,	Mr. Whitaker,
Mr. McLean,	Mr. Williams,
Mr. Moorhouse,	Mr. Woolcock.
Mr. Murray-Aynsley,	
Mr. Ormond,	
Mr. Pyke,	<i>Tellers.</i>
Mr. Reid,	Mr. Fitzroy,
	Mr. Teschemaker.

**NOES.**

Mr. Baigent,	Mr. Montgomery,
Mr. Barff,	Mr. Murray,
Mr. J. C. Brown,	Mr. Nahe,
Mr. Bunny,	Mr. Rees,
Mr. Burns,	Mr. Reynolds,
Mr. De Lautour,	Mr. Seaton,
Mr. Dignan,	Mr. Sheehan,
Mr. Fisher,	Mr. Shrimski,
Sir G. Grey,	Mr. Swanson,
Mr. Hamlin,	Mr. Tole,
Mr. Hislop,	Mr. W. Wood.
Mr. Joyce,	
Mr. Kennedy,	<i>Tellers.</i>
Mr. Lumsden,	Mr. Stout,
Mr. Macandrew,	Mr. Thomson.



## PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. Brandon,	Mr. Ballance,
Sir R. Douglas,	Mr. Kelly,
Mr. Fox,	Mr. Carrington,
Dr. Henry,	Mr. Lusk,
Captain Morris,	Mr. Takamoana,
Mr. Rowe.	Mr. Hodgkinson.

The amendment was consequently negatived, and the clause was agreed to.

Clause 112.—Pre-emptive rights to cease on 1st May, 1890.

Mr. STOUT moved, That the word "eighty" be omitted, with the view to insert the words "seventy-nine" in lieu thereof.

Question put, "That the word 'eighty,' proposed to be omitted, stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	34
Noes	...	...	...	...	19
Majority for	...	...	...	...	15

## AYES.

Major Atkinson,	Mr. Richardson,
Mr. Baigent,	Mr. Richmond,
Mr. Bowen,	Captain Russell,
Mr. Curtis,	Mr. Seymour,
Mr. Fitzroy,	Mr. Stafford,
Mr. Gibbs,	Mr. Stevens,
Mr. Gisborne,	Mr. Sutton,
Mr. Hunter,	Mr. Tawiti,
Mr. Hursthouse,	Mr. Teschemaker,
Mr. Johnston,	Mr. Wakefield,
Mr. Kennedy,	Mr. Wason,
Mr. Larnach,	Mr. Whitaker,
Mr. Manders,	Mr. Williams,
Mr. Montgomery,	Mr. Woolcock.
Mr. Moorhouse,	
Mr. Murray-Aynaley,	<i>Tellers.</i>
Mr. Ormond,	Mr. Harper,
Mr. Pyke,	Mr. Rolleston.

## NOES.

Mr. Barff,	Mr. Reynolds,
Mr. De Lautour,	Mr. Seaton,
Mr. Dignan,	Mr. Shrimski,
Mr. Fisher,	Mr. Swanson,
Mr. Joyce,	Mr. Thomson,
Mr. Lumsden,	Mr. Tole,
Mr. Macandrew,	Mr. Travers.
Mr. Murray,	<i>Tellers.</i>
Mr. Rees,	Mr. J. C. Brown,
Mr. Reid,	Mr. Stout.

## PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. Brandon,	Mr. Ballance,
Sir R. Douglas,	Mr. Kelly,
Mr. Fox,	Mr. Carrington,
Dr. Henry,	Mr. Lusk,
Captain Morris,	Mr. Takamoana,
Mr. Rowe.	Mr. Hodgkinson.

The amendment was consequently negatived, and the clause was agreed to.

*Mr. Stout*

Clause 148.—Public reserves may be limited.

Mr. STOUT moved, That the following words be inserted: "for any term not exceeding three years."

Question put, "That the words proposed to be inserted be there inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	19
Noes	...	...	...	...	33
Majority against	...	...	...	...	14

## AYES.

Mr. Baigent,	Mr. Manders,
Mr. Barff,	Mr. Montgomery,
Mr. J. C. Brown,	Mr. Murray,
Mr. De Lautour,	Mr. Rees,
Mr. Fisher,	Mr. Seaton,
Mr. Hislop,	Mr. Swanson,
Mr. Joyce,	Mr. Tole.
Mr. Kelly,	<i>Tellers.</i>
Mr. Lusk,	Mr. Stout,
Mr. Macandrew,	Mr. Thomson.

## NOES.

Major Atkinson,	Mr. Murray-Aynaley,
Mr. Beetham,	Mr. Reid,
Mr. Bowen,	Mr. Richardson,
Mr. Burns,	Mr. Seymour,
Sir R. Douglas,	Mr. Sheehan,
Mr. Fitzroy,	Mr. Stafford,
Mr. Gibbs,	Mr. Stevens,
Mr. Harper,	Mr. Sutton,
Dr. Henry,	Mr. Tairaoa,
Mr. Hunter,	Mr. Teschemaker,
Mr. Johnston,	Mr. Wakefield,
Mr. Kennedy,	Mr. Wason,
Mr. Larnach,	Mr. Williams,
Mr. Lumsden,	Mr. Woolcock.
Mr. McLean,	<i>Tellers.</i>
Mr. Moorhouse,	Mr. Rolleston,
Captain Morris,	Mr. W. Wood.

The amendment was consequently negatived.

Mr. REES moved, That progress be reported.

Question put, "That progress be reported;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	21
Noes	...	...	...	...	27
Majority against	...	...	...	...	6

## AYES.

Mr. Baigent,	Mr. Macandrew,
Mr. J. C. Brown,	Mr. Montgomery,
Mr. Bunny,	Mr. Murray,
Mr. De Lautour,	Mr. Stout,
Mr. Fisher,	Mr. Teschemaker,
Sir G. Grey,	Mr. Thomson,
Mr. Hamlin,	Mr. Wakefield,
Mr. Hialop,	Mr. W. Wood.
Mr. Joyce,	<i>Tellers.</i>
Mr. Kelly,	Mr. Barff,
Mr. Lusk,	Mr. Rees.

## NOES.

Mr. Beetham,  
Mr. Bowen,  
Sir R. Douglas,  
Mr. Fitzroy,  
Mr. Gibbes,  
Dr. Henry,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Johnston,  
Mr. Kennedy,  
Mr. Larnach,  
Mr. Lumsden,  
Mr. Moorhouse,  
Captain Morris,

Mr. Murray-Aynsley,  
Mr. Reid,  
Mr. Richardson,  
Mr. Rolleston,  
Captain Russell,  
Mr. Stevens,  
Mr. Swanson,  
Mr. Taiaroa,  
Mr. Wason,  
Mr. Williams,  
Mr. Woolcock.  
*Tellers.*  
Mr. Harper,  
Mr. Sutton.

The motion was consequently negatived.

Mr. DE LAUTOUR moved, That the following new clause be inserted after clause 154: "From and after the passing of this Act no person who shall hereafter purchase or acquire any waste lands of the Crown in a proclaimed mining district, under any law for the time being in force regulating the sale or acquisition of such lands, shall be deemed to have any right or title to the flow of any watercourse running through, in, or upon such lands which would interfere with or prejudice the right of any holder of a miner's right or mining lease to discharge into such watercourse any tailings, mining *débris*, or waste water produced or used in or upon any mining claim as aforesaid."

Question put, "That the clause be now read a second time;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	22
Noes	...	...	...	...	21
Majority for	...	...	...	...	1

## AYES.

Mr. Barff,  
Mr. J. C. Brown,  
Mr. Bunny,  
Mr. Fisher,  
Sir G. Grey,  
Dr. Henry,  
Mr. Hislop,  
Mr. Johnston,  
Mr. Joyce,  
Mr. Kennedy,  
Mr. Larnach,  
Mr. Lusk,

Mr. Montgomery,  
Mr. Murray,  
Mr. Stout,  
Mr. Swanson,  
Mr. Taiaroa,  
Mr. Thomson,  
Mr. W. Wood,  
Mr. Woolcock.  
*Tellers.*  
Mr. De Lautour,  
Mr. Rees.

## NOES.

Mr. Beetham,  
Mr. Bowen,  
Sir R. Douglas,  
Mr. Fitzroy,  
Mr. Gibbes,  
Mr. Harper,  
Mr. Hursthouse,  
Mr. Lumsden,  
Captain Morris,  
Mr. Murray-Aynsley,  
Mr. Richardson,

Mr. Rolleston,  
Captain Russell,  
Mr. Seymour,  
Mr. Stevens,  
Mr. Sutton,  
Mr. Teschemaker,  
Mr. Wason,  
Mr. Williams.  
*Tellers.*  
Mr. Reid,  
Mr. Reynolds.

The motion was consequently agreed to, and the clause read a second time.

Mr. REID moved, That progress be reported.

Question put, "That progress be reported;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	23
Noes	...	...	...	...	22
Majority for	...	...	...	...	1

## AYES.

Mr. Beetham,  
Mr. Bowen,  
Sir R. Douglas,  
Mr. Fitzroy,  
Mr. Gibbes,  
Dr. Henry,  
Mr. Hursthouse,  
Mr. Kelly,  
Mr. Lumsden,  
Mr. Moorhouse,  
Captain Morris,  
Mr. Murray-Aynsley,

Mr. Richardson,  
Mr. Rolleston,  
Captain Russell,  
Mr. Seymour,  
Mr. Stafford,  
Mr. Stevens,  
Mr. Sutton,  
Mr. Teschemaker,  
Mr. Williams.  
*Tellers.*  
Mr. Reid,  
Mr. Reynolds.

## NOES.

Mr. Barff,  
Mr. J. C. Brown,  
Mr. Bunny,  
Mr. Fisher,  
Sir G. Grey,  
Mr. Hamlin,  
Mr. Hislop,  
Mr. Joyce,  
Mr. Kennedy,  
Mr. Larnach,  
Mr. Lusk,  
Mr. Montgomery,

Mr. Pyke,  
Mr. Rees,  
Mr. Stout,  
Mr. Swanson,  
Mr. Taiaroa,  
Mr. Thomson,  
Mr. Wason,  
Mr. Woolcock.

*Tellers.*

Mr. De Lautour,  
Mr. Murray.

The motion was consequently agreed to, progress was reported, and leave obtained to sit again.

The House adjourned at twenty minutes to two o'clock a.m.

## LEGISLATIVE COUNCIL.

Wednesday, 14th November, 1877.

Second Readings—Third Reading—Riverton Harbour—Mokau District—Christchurch City Reserves Bill—Thames Water Supply Bill—Crown Redress Bill No. 2—Education Reserves Bill—Port Chalmers Compensation Bill—Otago Girls' and Boys' High Schools Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

## PRAYERS.

## SECOND READINGS.

Onehunga Endowments Bill, Canterbury Rivers Bill.

## THIRD READING.

Public Reserves Sales Bill.

## RIVERTON HARBOUR.

The Hon. Mr. NURSE asked the Hon. the Colonial Secretary, if the Government will detail an engineer to confer with the Riverton Harbour Board, to inquire into and report generally what

improvements are requisite to turn the harbour to the best account; also to draw up plans and specifications for such improvements? He had been induced to ask this question by the excellent advice he received when the Riverton Harbour Bill was before the Council. Several honorable members had been good enough to suggest that, if proper plans had been prepared, as in the case of the Bluff Harbour Bill, the Riverton Harbour Bill would have had a better chance of passing. It was quite impossible for the Riverton Harbour Board, in the present state of its funds, to get plans prepared. The fees were all expended in paying the pilot, and they could not even keep the wharf in order. All they could do was to fall back upon the Government, and ask them to assist in preparing plans.

The Hon. Colonel WHITMORE said that Mr. Blackett, the Marine Engineer, was going down south, and he would receive instructions to assist the Harbour Board, and to report generally upon what was requisite to improve the harbour. With reference to drawing up plans and specifications, the honorable gentleman must be aware that, if it was to be considered part of the duty of the Government to undertake such work for all proposed harbour improvements, which might not afterwards be approved of, very considerable addition must be made to the already large staff of the Public Works Department. With respect to that point, the Harbour Board must do as other Harbour Boards did, and procure plans for themselves.

#### MOKAU DISTRICT.

The Hon. Mr. MANTELL, in moving the motion standing in his name, said he had learned from private sources that such a report as he moved for had been recently addressed to the Government. He thought it would be interesting to the Council if laid on the table, in case it should contain any information as to the state of the Native mind in that district. He was informed that there was also another interesting point adverted to in the report—namely, that the coast at Mokau and the neighbourhood was subsiding at a remarkably rapid rate. He was anxious, for other than political reasons, to get access to such information as the Government might have on that point.

Motion made, and question proposed, "That there be laid upon the table copies of any report recently received by the Government relative to the Mokau District."—(Hon. Mr. Mantell.)

The Hon. Colonel WHITMORE said there could be no doubt such a report would be of great interest to the Council and to the Government if it were in existence. Although he had no reason to dispute the accuracy of the honorable gentleman's information that such a report was addressed to the Government, the result of his inquiries was that no such report had been received by the Government.

The Hon. Mr. MANTELL thought a little further research would enable the honorable gentleman, with the aid of his colleague, the Minister for Native Affairs, to obtain the report. Of course, if no such report existed, the motion

could have no effect, but he believed that the report had not only been sent to the Government, but had been acknowledged by the Government.

Motion agreed to.

#### CHRISTCHURCH CITY RESERVES BILL.

The Hon. Mr. HALL, in moving the second reading of this Bill, said its object was to vest in the Corporation of Christchurch certain portions of land in the city for the management of which no sufficient provision now existed. First of all, there were Cranmer, Latimer, and a part of Cathedral Squares. The Corporation had been advised that they had no sufficient power over those squares to enable them to enclose and plant them and lay them out as ornamental gardens. One object of the Bill was to give them that power. It proposed to do much the same with reference to certain unoccupied portions of the banks of the River Avon. At present there were strips of land along the River Avon which, if they were placed under the charge of the Corporation and planted as gardens, would add very much to the enjoyment of the people of Christchurch. There were also a variety of triangular pieces of ground formed by the intersection of various streets, which were now merely vacant spaces under nobody's control—they were practically "no man's land." The Bill proposed to vest these portions of land in the Corporation, with the right to erect ornamental buildings on them, to construct water-tanks on some, and use others for cab stands; but they were not to be let, and none of the buildings were to be made a source of pecuniary profit. The Bill also proposed to vest the Market-place of Christchurch in the Corporation. Although the Corporation now exercised a certain authority over a portion of it, there was considerable doubt as to their power to do so effectually. The 5th clause vested in the Corporation one of those strips of land on the river-side to which he had alluded for the purpose of a fire brigade station. On part of the land the Corporation had already built a fire brigade station, and, strictly speaking, that was an encroachment, but practically it was not a grievance to the inhabitants. He proposed to make an addition to the 2nd clause of the Bill, stating that Cranmer, Latimer, and Cathedral Squares were handed over to the Corporation, subject to such roads and streets as now legally existed. He understood that in the original plan of the City of Christchurch there were streets laid off across some of those squares. The squares were now fenced in, and the fencing had not been opposed; but, when it was proposed to vest the squares absolutely in the City Council, the residents in the neighbourhood objected, and, he thought, reasonably, that it might be absolutely stopping up the right of road which legally existed. He proposed, therefore, to insert an addition in Committee which would save that right.

The Hon. Captain FRASER would like to know if these reserves were Crown-granted. This property was worth, he supposed, £100,000. Last year, when he proposed to give to the University the reversion of the Drillsheaf Reserve in Dunedin, the Hon. Dr. Pollen objected. Would

Hon. Mr. Nurse

that honorable gentleman make any opposition now to giving land of the value of £100,000 to the Corporation of Christchurch?

The Hon. Dr. POLLEN said there was a general objection to Bills of this character, which he stated in Committee on the previous night. That objection was, that the habit had been, and the disposition was constantly shown, to deprive the Colonial Government of every inch of land that it was possible to take away from it in the towns and townships of the colony. The consequence was that, whenever the Government required a piece of land as a site for any necessary or useful purpose, they had to go into the market and buy back, at a largely enhanced price, in many cases, the very land which was unwisely granted in the manner proposed by this Bill. He did not know whether the objection was a valid one in this case, or whether there remained, as he hoped there did remain, a sufficient extent of land in Christchurch in the possession of the Crown to provide for the public wants of the colony in future. If that were settled satisfactorily, he thought it was exceedingly desirable that land in the position which the honorable gentleman described should be enjoyed and controlled by the Municipality.

The Hon. Mr. PEACOCK said there was a large quantity of land in the possession of the Government in Christchurch. None of the land referred to in the Bill, excepting the squares and Market-place, was suitable for a building of any kind. These pieces of land had been reserved for the City of Christchurch for all time, and he imagined it was through neglect that the reserves had not been made over before. In fact, the Provincial Council on one or two occasions offered to give a reserve to the City Council, but wanted to make conditions for fencing, and so forth, which the City Council did not think they were in a position to carry out at the time. The bulk of the land referred to consisted of small pieces, many of which were now planted, and the citizens of Christchurch were very anxious that these places should be reserved, and that no buildings should be erected on them.

The Hon. Major RICHMOND would like to ask the Hon. Colonel Whitmore if the land described in the Third Schedule was the same land that was originally appropriated for a market-place.

The Hon. Colonel BRETT said all the land mentioned in the schedule had been vested in the municipal body for a long time. The object of the Bill was merely to prevent these spots, with the exception of the Market-place, from being built upon and so destroying the appearance of the city. Hitherto they had been preserved from buildings, but there was recently a movement on the part of the Municipal Council to build on some of the land, but the inhabitants offered great opposition. The whole of the pieces of land contained in the schedule had already been made over to the municipal body, and this Bill was only necessary to prevent the squares from being disfigured with buildings. He thought the Council would find that the Municipality were in legal possession of this property.

The Hon. Colonel WHITMORE presumed that when the Public Reserves Bill came into operation a great many Bills of this kind would be unnecessary. With regard to what the Hon. Dr. Pollen said as to the absolute necessity of reserving some places for the General Government, he thought that, if the Public Reserves Bill were passed, they need not fear the contingency which the honorable gentleman suggested, because power would be given to the Government to reserve any lands which might be required for such purposes without paying an exorbitant price.

The Hon. Mr. HALL said the objection raised by the Hon. Captain Fraser was based on a misapprehension. There was no necessity to hand over any of the reserves to the Corporation, as they were in the hands of the Municipality at present. It was only necessary to give them effectual possession and power to manage those reserves. The Hon. Dr. Pollen objected to reserves being granted away which the Colonial Government might require for building purposes. He quite agreed with the honorable gentleman, but the objection did not apply to the present case, because there was not one of those reserves on which the Colonial Government would have the slightest right to build. The Colonial Government had been very liberally dealt with in Christchurch. The Provincial Government handed over to the General Government, for building purposes, land for which they paid £10,000 in hard cash. That was an excess of generosity, and he doubted whether it would be reciprocated.

Bill read a second time.

#### THAMES WATER SUPPLY BILL.

The Hon. Dr. POLLEN, in moving the second reading of this Bill, said it was introduced into the House of Representatives by one of the members who represented the Thames District, and, in compliance with a request made to him, he had undertaken to take charge of it in the Council. Honorable gentlemen would remember that an Act was passed last session by which a Committee was constituted to manage the water-works that supplied Grahamstown and Shortland, the chief town of the Thames Diggings. That Committee consisted of eight members, five of whom were chosen by the Borough Council of the Thames, and one each by the Waitohi, Parawai, and Kauaeranga Highway Boards. The history of the water supply which this Committee was to manage was this: The supply was first provided, the pipes were laid, a reservoir was built, and the water brought into the town for the use of the inhabitants by the Provincial Government. It was then transferred by the Provincial Government to the Thames District, and the Committee which he had just described was constituted by the Act of last year for the purpose of managing it. The Act gave to the Committee certain borrowing powers, as was usual in such cases, but they were not of a very extensive character, the amount being £2,000, and the rate of interest 8 per cent. It was now found that the water supply provided by these works

was not sufficient for the wants of the inhabitants. There was another water supply, which the liberality of the colony in the early days of the Public Works scheme provided for the Thames, at a cost of some £120,000, by which water was also brought into the town; but that supply appeared to be under the control and management of the County Council of the Thames, and there was a certain amount of rivalry, which was not entirely of a friendly character, between the County Council and the Borough Council of the Thames on several matters of local interest, amongst which was, unfortunately, this question of the water supply. The Borough Council were exceedingly anxious to have their own supply, or the means of supplying the town by their own machinery, extended; and the object of this Bill was to give them that power. The 2nd clause proposed to alter the 26th and 28th sections of the Act of last year. By the first of those sections the Committee were authorized to borrow any sum not exceeding £2,000, at a rate of interest not exceeding 8 per cent., and by the other section it was provided that the money so borrowed should be repayable within five years—that the loan should not have a currency beyond that time. The Committee had found that it would not be possible for them to get the money they required upon the terms specified in the Act of last year, and the proposition now was that, instead of the words “eight,” “two,” and “five,” which referred respectively to the interest on the loan, its amount, and its currency, the word “ten” should be substituted: that was to say, that the Borough Council might be authorized to pay 10 per cent. for the money, to increase the amount to £10,000, and to make the currency of the loan ten years. The other amendment proposed to be made by the 2nd clause, to erase certain words in the Act of last year referring to the form of coupon, was necessary inasmuch as there was no such form. The object of the 3rd clause of the Bill was to place the Waterworks Committee in the same position as regarded the power of taking land for public purposes as the Committee would be in if it were a Borough Council or a Highway Board under the provisions of the Second Part of the Public Works Act. If the Council agreed to the powers proposed to be given to the Committee for enabling them to obtain the means of extending the waterworks, this power in the 3rd clause would also be necessary, because, under the present circumstances, they would have no power to take land or water for their requirements under the provisions of the Second Part of the Public Works Act. He begged to move, That the Bill be read a second time.

The Hon. Captain FRASER said that this Bill was only equalled in audacity by another Bill to which the same gentleman's name was attached, which had been on their Order Paper for a very long time, and which was likely to remain there until the end of the session. Last year they passed a Thames Water Supply Act, an Act of thirty-seven clauses and a schedule, and they gave a great deal of attention to that measure.

Hon. Dr. Pollen

Now this wretched thing was brought in with three clauses, which recast the whole of the previous Act. The Assembly last year gave the Thames Water Committee power to borrow £2,000 at 8 per cent., the debentures to be redeemed in five years; and now what did this Bill say? That, instead of £2,000, they should have the power to borrow £10,000, that the rate of interest should be increased from 8 per cent. to 10 per cent., and the currency of the loan extended from five to ten years. The whole Act of last year was recast, and the last clause of this Bill proposed to apply the provisions of the Public Works Act. He would endeavour to put a stop to this sort of thing altogether, and would move, That the Bill be read a second time that day six months.

The Hon. Colonel BRETT said the only objection he had to this Bill, which he regarded as a very fair one, especially as its object was to facilitate the supply of one of the main elements of life, was in reference to the percentage. Surely this body could borrow money for less than 10 per cent., which appeared to him to be a very high rate. All these public bodies generally raised money at 6 or 7 per cent., and certainly at not more than 7 per cent. If it were a fair and honest transaction, he should think that the money could be borrowed for a very much less sum than 10 per cent. He thought that the Bill was a fair one; it was, he presumed, for the purpose of bringing water into the town, and he would never oppose such a legitimate object as that.

The Hon. Mr. WILLIAMSON said it was evident that the town to which this Bill referred was not a southern town, or else it would possess such endowments as would enable it to go into the market and borrow money on reasonable terms. It was quite true that the rate of interest was very high, but the rate of interest was generally regulated by the security which could be offered. Now, it unfortunately happened with regard to the Thames that it had not been endowed as many other towns in the colony had been, and therefore the security which it had to offer was not sufficient to enable it to obtain money on such favourable terms as other more fortunate towns obtained. He had been informed by people from the Thames that the works were very much required; and the terms specified in the Bill were the only terms upon which the money could be raised, unless the Thames people applied to the Assembly, as had been done in other cases, for a large endowment with which to go into the money market to borrow. There was the case of the Bluff Harbour, in which an endowment of 35,000 acres was given, with a right to borrow £50,000; and 15,000 acres were also asked for for the Riverton Harbour. It was quite clear that if endowments were not asked for they would not be given. Here was a township endeavouring to supply its own wants, and willing to pay a high rate of interest, and yet its action was characterized as infamous and iniquitous.

The Hon. Captain FRASER said he did not so characterize it.

The Hon. Mr. WILLIAMSON thought the

honorable gentleman called the Bill a most iniquitous one: if he was mistaken he begged the honorable gentleman's pardon. The present proposal of the Thames people displayed a disposition on their part to help themselves, even although they had to pay an exceptionally high rate of interest.

The Hon. Colonel WHITMORE said that the honorable gentleman who had just sat down had called attention to the circumstance that there were no endowments provided in this Bill, but in illustrating his argument the honorable gentleman should have shown that there were already waterworks in the other Island, or in any part of the country, which had been assisted by endowments. He thought the honorable gentleman would find that this Bill was of just that class of semi-private Bills in which there were no endowments. He did not pay much attention to the difficulty about the rate of interest. They had already this session passed one Bill, if not more, in which that rate of interest was allowed, and it was no use giving a borrowing power and attaching a rate of interest which would preclude the raising of the money that was wanted. He presumed the promoters of this Bill had ascertained that 10 per cent. was the lowest rate at which they could get the money, or that possibly they would have to pay as much as that. It was obvious that the cheaper they could get the money the better, and they no doubt apprehended that they might have to pay as much as 10 per cent. Well, unless honorable members were prepared to say that a Bill for a purpose of this kind was to be rejected, and that the people of the Thames were not to have facilities for washing themselves, they ought not to stick at such a point as that of the rate of interest, especially as the people were perfectly willing to pay the high rate that seemed to be necessary. He should support this Bill without reference to the gentleman's name which happened to be affixed to it—a gentleman with whom he was not at all acquainted. He did not think that the circumstance of the name at the head of a Bill should influence honorable members in considering it, if it were otherwise unobjectionable.

The Hon. Sir F. DILLON BELL thought the last speaker had not done justice to the argument of the Hon. Mr. Williamson. As he understood the argument which the Hon. Mr. Williamson used, it was a fair and legitimate one. That honorable member said that Southern members were bringing forward Bill after Bill to grant large endowments of land in aid of such works; but that members from the North Island did not do so, for the simple reason that they had no land there to give. If the Thames community were living in a district where there was plenty of available Crown lands to be dealt with, and where there were people willing to invest large sums of money in land, that community would not now have to ask leave to borrow money at a high rate of interest for the purpose of obtaining a water supply. He looked with a great deal of admiration at the modesty which members representing districts in the North Island had shown in this matter of endowments; be-

cause, looking at the millions of acres which had been bought, or, he should perhaps say, pretended to be bought, out of the moneys that had been laid aside by the liberality of Parliament for the acquisition of Native land in the North Island, he did not see why the opportunity should not be taken by members representing the interests of the North to make large endowments and reserves out of those lands, even if the acquisition of the Native title should not at the present moment have placed any very valuable land at their disposal. He should have been very glad himself to have seen the Thames District, which contained an industrious population, and which had contributed largely to the wealth of the colony, assisted by endowments of land for municipal and for other public purposes, which would have enabled the people to do a great deal better for themselves than they had been able to do in the few years they had been settled there.

The Hon. Mr. PATERSON asked if the Hon. Sir F. Dillon Bell would mention any Corporation in the colony that had been endowed with land for the purpose of obtaining a water supply.

The Hon. Sir F. DILLON BELL had not said there had been any such endowment. What he had pointed out was that the necessity for such endowments had not arisen in the rich communities of the South, whose wealth had been created by the possession of a vast extent of territory, a boon which the people in the North had never obtained.

The Hon. Mr. HALL chiefly rose to speak on the general question of endowments. The Bill itself was a good Bill. There were several points which they would have to consider in Committee, but there had been no arguments adduced to justify the Council in refusing to read the Bill a second time. He wished to point out to the Hon. Mr. Williamson that it was not the case that all Municipal Corporations in the South were richly endowed. The Corporation of Christchurch had no endowments whatever except the 2,000 acres authorized to be given to all Corporations by the Act of last session, and they had to rate themselves very highly indeed for whatever improvements they carried out. They had formerly got occasional grants from the Provincial Government, but that had been the only addition they had received to their own revenue. Neither was it the case that the Corporations in the North Island were altogether without endowments. If he was not mistaken, the Corporation of the City of Auckland possessed endowments which in the course of time would be exceedingly valuable, and they would be infinitely better off than the Corporation of the city to which he had referred. The Corporation of Wellington also had endowments which, in a few years, would make it one of the wealthiest cities in New Zealand. Therefore he thought his honorable friend Mr. Williamson was not altogether borne out by facts in the comparison he drew.

The Hon. Mr. MENZIES did not think that they could do anything better calculated to be of service to a community than to enable them to

obtain an abundant supply of pure water. They ought by every means in their power to give special encouragement to those who were desirous of making every exertion they could in order to obtain this first necessary of life. All the community in this case asked was to have larger borrowing powers than were given to them in the Act which this Bill proposed to amend. It seemed to him that honorable members would act very improperly indeed if they withheld the additional power which the people of the Thames required in order to obtain an abundant supply of pure water. They knew very well, from instances that had occurred in other parts of the country, that where the supply ran short the quality of the water became inferior, and the uniform and inevitable result of a short supply of water, of bad quality, was serious disease and probably very heavy mortality. He wondered that his honorable friend who had moved the amendment had forgotten that, under exactly similar circumstances, only three years ago, he applied for similar powers to be given to a community in the South. The honorable gentleman then moved in the Council the second reading of a Bill for enabling the community of Cromwell to construct waterworks, and honorable gentlemen would doubtless remember that the necessity for supplying that community with pure water was proved by the portentous mortality which occurred some time before from typhoid fever, caused by the use of impure water. His honorable friend ought to have remembered that case, and to have considered that any other community, even though it was in the North, might be under circumstances which rendered it quite as necessary for them to obtain a supply of pure water as was the case in regard to Cromwell. Nothing could have exceeded the necessity which existed at that time for a water supply to Cromwell, as any one who referred to the debates would perceive, and the same result would follow as certainly as day followed night if in any community the supply of water became impure and scanty. Although other districts had received assistance in the way of endowments, he did not think that it should in any way tell disparagingly against them. He would willingly support the second reading of the Bill, and he hoped the result of passing the Act would be such as to enable the Thames community to obtain a supply of pure water.

The Hon. Captain FRASER said that, as the opinion of the Council was against his amendment, he would beg leave to withdraw it.

Amendment by leave withdrawn.

The Hon. Mr. BUCKLEY thought that, as this seemed to be an exceptional case, the honorable gentleman in charge of the Bill should have given them more information. Under the Municipal Corporations Act the Thames Municipality had power to provide themselves with waterworks, and he would like to know why the Municipality did not do so. No doubt this Committee could not borrow money so advantageously as the Municipality.

The Hon. Dr. POLLEN said his honorable friend Captain Fraser was not infrequently dis-

tinguished by an impulsiveness which was quite of a youthful character, and he was also distinguished by an instability of opinion which was not uncommonly characteristic of such a disposition as that which he had attributed to the honorable gentleman. He had just pronounced himself very strongly against this Bill, and in his censure he included another Bill, using a very strong expression with regard to it, and forgetting, apparently, that the very Bill which he condemned in such unmeasured terms was one of which he undertook himself to move the second reading. He did not know whether the honorable gentleman had changed his opinion with respect to the object of the Bill or with respect to the promoter of the Bill (Mr. Rowe) since that time. The history of this water supply he had endeavoured to give in the clearest possible way. Since the Thames City was first founded, it grew up with very great rapidity. The soil was an old sea-beach, very porous and shelly. The water supply for a very large number of inhabitants—amounting to 6,000 or 7,000—was obtained from wells sunk in this porous soil, and even in those wells the supply of water in a dry season was very uncertain indeed. Consequently there was a great deal of sickness and mortality, and a great deal of domestic discomfort. After that condition of things had continued for some time, the Auckland Provincial Government, in the midst of its poverty—and it was a work which he always remembered with gratitude to that Government—provided a water supply of a very small but perfect character. They constructed a reservoir about two or three miles out of the town, and from that reservoir they laid pipes through the streets. Most happily they did that, because the next summer was so dry that but for this supply the town must have been decimated by scarlatina, which broke out. This water supply was the property of the Provincial Government. The persons who were interested in the water supply lived within the limits of the Thames Borough proper, within the limits of the Parawai District Board, the Waitohi Highway Board, and the Kaueranga Highway Board. It was therefore felt that it would not be right to give to the Thames Municipal Council proper, or to any other of those local bodies, exclusive power and control over these waterworks. Consequently a Committee was formed, elected by all the local bodies who were interested in the water supply, and by an Act that Committee got the power of managing the waterworks. The Committee had no property but the plant itself and whatever revenue was authorized to be raised by the sale of the water. It was found that the present supply was not sufficient for the wants of the district, and what was now desired was increased means of extending the plant, and the power of taking land above the present reservoir, so that they might get a larger head of water. To do all this they found that the sum of £2,000 which they were originally authorized to borrow was not sufficient, that the time within which they were required to repay it was too short, and that the interest authorized to be paid for the advance by the Bill of last year was not such as, under the

*Hon. Mr. Menzies*

circumstances, would induce capitalists to lend money, there being no security in the way of land. Under these circumstances, they could not be expected to get money on the same terms as the Municipal Corporation, or any other body having large endowments. The Corporation had the power of raising funds, but the works were kept out of the hands of the Borough Council because there were so many other bodies interested. It was the duty of the Committee to do their best to keep up the supply of water, and to increase it as the wants of the community increased. That was the sole object of the Bill. They found they wanted £10,000. They found they could not get the money at 8 per cent., and when they got it it must stand over for ten years instead of five years. There could be no colonial liability, and the only persons concerned were those interested in the waterworks.

The Hon. Captain FRASER rose to make a personal explanation. Mr. Rowe asked him to take charge of the Gold Mining Districts Bill. He read the Bill, and he then said he could not take charge of it. The Hon. Mr. Bonar was then asked to take charge of it, and he consented. When the Hon. Mr. Bonar went away, he said to him (Captain Fraser), "You had better move the second reading." If he did, he would simply state the contents of the Bill, because he could not ask the Council to pass the second reading.

Bill read a second time.

#### CROWN REDRESS BILL No. 2.

The Hon. Colonel WHITMORE, in moving the second reading of this Bill, said he hoped the Hon. Mr. Hall would assist him, as that honorable gentleman had already called attention to the circumstance that great hardship occurred to individuals through their not being able to sue the Crown in the event of damage from railways. There were other cases of inconvenience which, honorable gentlemen were probably quite aware, continually occurred in all parts of the country from the awkward state of the law as regarded actions against the Crown. In the Act of 1871 there was a reference to the Act of Edward II., so that it was proposed to repeal what was evidently a very old system. A case occurred not very long ago which showed the great injustice done to private individuals at the present time. A vessel named the "Kate Monaghan," with a cargo of iron, was wrecked; the wreck was purchased by a private individual; he saved a quantity of iron from the wreck, and sold it to the Government. The Government refused to pay. Although he understood the insurance companies would have been quite willing to pay the insurance, the Government argued that there was no salvage against the Crown. That case brought forward the monstrous injustice of the present state of the law. As the law now stood, no person could, except by permission, sue the Crown. The Petition of Rights was only a remnant of barbarous times, and, especially in a country where so much of the business of the country was done by the Government, it ought to be abandoned. The Bill really asserted nothing else. If, in Committee, any objection were raised on the

ground that inferior Courts should not be included, he would be prepared to give way, although he supposed the same principle ought to apply. There was a proviso in clause 3 that nothing in the Act was to affect claims for damages for breach of contract in reference to the waste lands of the Crown. There had already, in the Public Works Bill, been a recognition of this principle in the acceptance by the Government of the position of public carriers, and in England there had also been several approaches to this alteration.

The Hon. Mr. HOLMES was afraid this Bill would lead to litigation, which there was not the least doubt would be very prejudicial to the Crown. If this Bill passed, a great many speculative lawsuits would be the result. Then, again, there was always a prejudice against the Government. A Government or a company was fair game. In Australia there was a large monetary institution that would scarcely go to law under any circumstances, because an action was bound to go against them. If that were the case with a bank, what would it be with a Government? He had no hesitation in saying that the result of the Bill, if it became law, would be prejudicial to the public interest. He had known cases where verdicts were given against the Government where he was sure that the result would have been reversed had a private individual been sued. Before the door was opened to litigation and to instituting actions of a frivolous character, he thought that it would be well for the Council to pause. For example, in connection with railways, the burning of a gorse fence, or the killing of sheep or cattle on the line, might result in an action for a small amount, but the law costs might amount to a large sum. When travelling on the railway lately in Canterbury, he saw several sheep killed. He dared say that, if this Bill were in force, that would result in an action, and a heavy legal bill. Therefore he thought that this Bill, although a small one, involved large consequences to the Government of the country. They had been able to get on very well hitherto without such an Act, and his impression was that they could get on very well without it for some time to come. The giving of too many facilities for litigation was certainly not an advantage to the Government, and he doubted whether it would be an advantage to the community.

The Hon. Dr. POLLEN was very glad the Hon. Mr. Holmes had called the attention of the Council to the character of this Bill. He had not been without hope that they would have had the advice of the Hon. Mr. Hart regarding such a very important change in the law as was proposed to be effected by this Bill. In order that the attention of the Council might be given to the Bill, to its operation and probable effects, he would now move, That the debate be adjourned. It was impossible to overrate the importance of this Bill, or, without very great care, to see the operation and effect of it. If its title were "A Bill to promote Litigation" it would probably be much more representative of its character than its present title.

Debate adjourned.



## EDUCATION RESERVES BILL.

This Bill was further considered in Committee.

The Hon. Mr. MENZIES moved, That the following new clause be added to the Bill:—  
 "The Governor in Council may, at any time after the expiry of the current leases, on twelve months' notice being given to any lessee of any portion of any education reserve, other than a reserve for a university, by Proclamation, declare such reserve or any part thereof open for sale by auction under the waste lands laws in force in the provincial district in which such reserve is situated; but all proceeds arising from the sale of any such reserve shall be received by the School Commissioners of the district within which such reserve is situated, and held in trust for investment on real security or in Government or municipal debentures issued in the colony; and the income, interest, and profits arising from such investment shall be dealt with in manner provided in section twenty-one."

Question put, "That the proposed new clause stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	6
Noes	...	...	...	...	15

Majority against... 9

## AYES.

Mr. Hall,	Mr. Nurse,
Mr. G. R. Johnson,	Mr. Paterson,
Mr. Menzies,	Mr. Peacock.

## NOES.

Sir F. Dillon Bell,	Mr. Mantell,
Colonel Brett,	Mr. Miller,
Mr. Buckley,	Mr. Pharazyn,
Mr. Chamberlin,	Dr. Pollen,
Captain Fraser,	Mr. Russell,
Dr. Grace,	Colonel Whitmore,
Mr. Hart,	Mr. Williamson.
Lieut.-Colonel Kenny,	

The motion was consequently negatived.

The Bill was reported with amendments.

## PORT CHALMERS COMPENSATION BILL.

This Bill was considered in Committee.

Clause 2.—Governor may grant to body corporate of Port Chalmers certain lands.

The Hon. Sir F. DILLON BELL moved, That progress be reported.

Question put, "That progress be reported;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	5

Majority for ... 11

## AYES.

Sir F. Dillon Bell,	Mr. Menzies,
Mr. Buckley,	Mr. Miller,
Mr. Chamberlin,	Mr. Nurse,
Mr. Hall,	Mr. Paterson,
Mr. Hart,	Mr. Peacock,
Mr. Holmes,	Dr. Pollen,
Mr. G. R. Johnson,	Sir J. L. C. Richardson,
Mr. Mantell,	Mr. Williamson.

Hon. Dr. Pollen

## NOES.

Colonel Brett,	Mr. Russell,
Captain Fraser,	Colonel Whitmore.
Lieut.-Colonel Kenny,	

The motion was consequently agreed to, and progress was reported.

## OTAGO GIRLS' AND BOYS' HIGH SCHOOLS BILL.

This Bill was further considered in Committee.

Clause 17.—Reserves, how granted.

The Hon. Mr. BUCKLEY moved, That the clause be struck out.

Question put, "That the clause proposed to be omitted do stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	10
Noes	...	...	...	...	10

## AYES.

Sir F. Dillon Bell,	Mr. Miller,
Colonel Brett,	Mr. Paterson,
Captain Fraser,	Sir J. L. C. Richardson,
Mr. Hall,	Mr. Russell,
Mr. Hart,	Colonel Whitmore.

## NOES.

Mr. Buckley,	Mr. Menzies,
Mr. Chamberlin,	Mr. Nurse,
Mr. Holmes,	Mr. Peacock,
Mr. G. R. Johnson,	Dr. Pollen,
Lieut.-Colonel Kenny,	Mr. Williamson.

The CHAIRMAN gave his casting vote with the Ayes, and the clause was therefore ordered to stand part of the Bill.

The Hon. Mr. BUCKLEY moved, That progress be reported, and leave asked to sit again.

Question put, "That progress be reported;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	9

Majority for ... 2

## AYES.

Mr. Buckley,	Mr. Menzies,
Mr. Chamberlin,	Mr. Nurse,
Mr. Hart,	Mr. Peacock,
Mr. Holmes,	Dr. Pollen,
Mr. G. R. Johnson,	Mr. Williamson.
Lieut.-Colonel Kenny,	

## NOES.

Sir F. Dillon Bell,	Mr. Paterson,
Colonel Brett,	Sir J. L. C. Richardson
Captain Fraser,	Mr. Russell,
Mr. Hall,	Colonel Whitmore.
Mr. Miller,	

The motion was consequently agreed to.

Progress was reported, and leave obtained to sit again.

The Council adjourned at a quarter-past twelve o'clock a.m.

## HOUSE OF REPRESENTATIVES.

Wednesday, 14th November, 1877.

First Readings—Second Readings—Third Readings—  
Oamaru-Naseby Railway—Civil Service—Financial  
Statement—North of Auckland Works—Native  
Lands Bill—County and Municipal Endowments—  
New Plymouth Endowment Bill—Timaru Harbour  
Bill—Disqualification Bill No. 1—South Dunedin  
Reserves Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

## PRAYERS.

## FIRST READINGS.

Financial Arrangements Bill, Native Lands Bill, Public Works Bill.

## SECOND READINGS.

Little River Cemetery Bill, Balclutha Athenæum Bill, Milford Harbour Bill.

## THIRD READINGS.

Little River Cemetery Bill, Balclutha Athenæum Bill, Kakanui Harbour Bill, Waikouaiti Harbour Bill, Waikouaiti Athenæum Bill, Taranaki County Reserves Bill.

## OMARU-NASEBY RAILWAY.

Mr. HISLOP asked the Minister for Public Works, Whether the Government will make provision for recouping to the local bodies the expenses incurred by them in the survey of the Oamaru-Naseby line of railway? He might state that the Municipal Council of Oamaru and other local bodies interested had gone to considerable expense in surveying this line of railway, and the report of their engineers had been adopted by the Government, thereby saving the Government a good deal of expense. He wished to know whether those local bodies would be recouped the outlay which they had incurred.

Mr. LARNACH replied that the Government would cause inquiries to be made in order to ascertain whether the Government had committed itself in any way to the survey of this line of railway, and if so, they would give the matter proper consideration.

## CIVIL SERVICE.

Mr. STAFFORD asked the Premier, Whether there is any foundation for the statement circulated in the colonial Press, on the authority of "our own correspondents," to the effect that officers of the Civil Service of New Zealand were placing difficulties in the way of the present Government obtaining information as to the public affairs of the colony? The House would recognize that it was highly desirable that the country should know whether the Civil Service had got into such a state that any of its officers would refuse to afford any information to the Ministry of the day, whoever they might be. For himself, he could hardly believe that there was any foundation for such reports as had been circulated, and he thought it was desirable that there should be a most authentic statement made as to whether such reports were justifiable or not.

Sir G. GREY replied that the reports published in the newspapers were not made in any way by the authority of the Government, and it must therefore decline to notice them.

## FINANCIAL STATEMENT.

Mr. STAFFORD asked the Colonial Treasurer, When he will make his Financial Statement?

Mr. LARNACH said there was a considerable amount of private business on the Order Paper which it would be desirable to get through, in order to send it to the other Chamber; but he should be prepared on Monday next, at half-past seven o'clock, to make his Financial Statement. In giving that promise he presumed the House would understand that it was conditional on not being interrupted in any way by any action of honorable members contingent upon the threat made by the honorable member for Egmont the other evening that he would not allow any business to proceed. Of course, if he was not interrupted, and if he received fair-play from the House, he would carry out his desire of bringing down the Financial Statement at the time he named, and he trusted he would receive that consideration from the House which such an important matter deserved.

## NORTH OF AUCKLAND WORKS.

Sir R. DOUGLAS, in moving the motion standing in his name, said he felt some diffidence in introducing this motion to the consideration of the House, the more so because it referred to the voting of several sums of money, and to votes which had lapsed. He would not take up the time of the House by making a long speech on the subject. He would simply point out that there were members of the House who would be able to bear out the statements he had to make in reference to what had passed in another place, and he expected from them that assistance which he should readily accord under similar circumstances. He would ask them to bear witness to the facts which he would adduce. The first item in this notice of motion was for a road from Mangaturoto to Waikekei. That road had been promised for very many years, and it was promised by the late Superintendent of Auckland (Mr. Williamson). It was a road which would open up a very large tract of country. The land near the sea was not very good, but that which lay between Mangaturoto and Waikekei had a good limestone bottom. Every country member who knew what agricultural land was would understand perfectly well that land with a good limestone bottom would be land suitable for agricultural purposes. This £1,000 was proposed to be expended in helping a number of settlers who had been in that district for very many years, and who, when they first went there, were led to suppose that they would have a road formed by which they could send their produce to the market. Notwithstanding the promises that were made to them, they had been obliged, almost up to the present time, to carry everything on their backs, even ploughs, for a distance of from ten to twelve miles, to get them

to their homesteads. Seeing these things, and having known the district for some ten years, it grieved him much that these men, many of them with families growing up, who had cast their lot in New Zealand, should be so hardly used, and no assistance given to them. They appealed to him to get them redress for their grievances, and asked him to appeal to the Provincial Council to do them justice and fulfil the promise which had been made to them, which was that they should at any rate have roads to get their produce to market. They said to him, "We have given our lives, our time, and everything to make this colony great and prosperous, and all we ask in return is that you should give us means to get our produce out of the district." One of the honorable members for Franklin could bear him out in saying that for many years this road had been promised to the settlers, and all he asked the House to do now was to carry out that promise, and grant them money to open this road. With regard to the Ruatangata Road, he might say that he was informed by the Chairman of the Ruatangata Road Board that he made some arrangement with the Superintendent of the province by which a new line of road should be opened up, and he appealed to the Superintendent to purchase the necessary land for the road, as it belonged to the Natives. The Superintendent replied that a certain sum of money would be granted for the purpose, if the Board also voted a certain amount. The Board, however, was not a wealthy body, and surely the House did not expect the Road Board of a district of very large area, and with a small amount of capital, to make roads, and also to purchase the land necessary for the purpose. This was especially the case in the present instance. He was informed the road would open up a large tract of country outside the particular district. There was a swamp of 10,000 acres in the district, with a river running through it, which could be made a canal, and there was a very fair fall at one end. If the people of the district could prevail upon some land speculators to purchase and reclaim that swamp, as had been done in the case of the Piako Swamp, instead of being looked on as mere land-sharks there was not a settler in the district who would not welcome them and assist them in every way to open up the land. He believed the settlers would even pay speculators to take the swamp, if they would only reclaim it and open up the land. The land was of the very best quality, being what was known as a raupo swamp, which, as every one of any experience in the colony knew, was the best land for agricultural purposes. It would require some capital to open up this swamp, but, that once done, it would be the means of adding to the people of the colony a large number of that class of settlers whom the House was so anxious to encourage. He meant not very small farmers, but those men who could purchase some 300, 400, or 500 acres of land and work it themselves—a class of settlers who would compare favourably with any other class in New Zealand. With regard to the wharf at Whangarei Heads, he need say little, beyond referring to a resolution

*Sir R. Douglas*

passed by the Provincial Council on the subject. The Harbour of Whangarei was very large, and from the township to the Heads was a distance of about fifteen miles. Vessels of large size, even men-of-war, could lie with safety inside, and the channel was about three-quarters of a mile wide; but there was no place at which vessels could lie near the shore. Believing it would be of great advantage to the district to have a wharf at this place, he laid the matter before the Provincial Council, and asked them to put up a wharf at which vessels which were obliged to go to the harbour through stress of weather could lie. The Provincial Council, having fairly discussed his motion, agreed that a wharf should be put up; but in putting the amount on the Estimates a mistake was made, inasmuch as he did not ask for enough. When he came down to the Provincial Council in the following session he asked why the wharf had not been constructed, and he was then told by the Provincial Treasurer, "If you had asked for sufficient money, the wharf would have been erected." He therefore made it his duty to ask for sufficient money. He was no advocate for extravagant expenditure, and consequently he did not put more on the Estimates than was required. It was, however, very desirable that this wharf should be constructed, for it might be found in the future, as it had been in the past, that they would be without means of steam communication to Whangarei township; and, if vessels could only lie alongside a wharf at the Heads, they could take in and discharge cargoes, and do all the necessary work, though of course it would be always desirable to have communication with the township. It was not necessary to go further into the matter at present, and he would therefore merely read an abstract of the address presented by the Provincial Council to the Superintendent "requesting him to expend, out of the first moneys available for public works, a sum of £600 for erecting a wharf at Whangarei Heads." The words, "out of the first moneys available," were added at the suggestion of the Superintendent's Advisers. He (Sir R. Douglas) moved a resolution to this effect:—

"That a respectful address be presented to His Honor the Superintendent requesting him to place on the Estimates a sum of £600 for the purpose of erecting a wharf at Whangarei Heads; also, that a respectful address be presented to His Honor requesting that a sum of £800 be in like manner placed on the Estimates for carrying out the recommendations made by the late Superintendent with reference to a road between Maungakarama and Whangarei."

The Superintendent's representative in the Council then got up and said, "If the honorable member will make it 'out of the first moneys available,' His Honor will accept the motion." The motion was consequently altered and agreed to; and then arose the question, Was the money ever available? A correspondence took place between His Honor and Dr. Pollen on the subject, in which he found Dr. Pollen saying,—

"You propose to pay for these works out of the unexpended balance of the sum of £40,000

authorized to be advanced to the Province of Auckland by 'The Provincial Public Works Advances Act, 1874.'"

But that unexpended balance was spent without the vote of the Provincial Council, and in other parts of the province. Under these circumstances, he thought he was justified in asking the House to agree to the amount he had named, seeing that there were already on the Supplementary Estimates several sums of money for other purposes which were to be charged to provincial liabilities. He might go on to explain the whole circumstances of the case, but the plans of the harbour spoke for themselves, and showed undeniably its advantages. Every one could see what sort of harbour this was by looking at the plans to be seen in the library, and could learn from the maps of the district what was the nature of the land in the neighbourhood much better than he could explain it. He next came to the road to Maungakarema, and might say that the remarks he made in regard to the wharf at Whangarei applied to a certain extent to this road, as both works were included in the same motion which he had made in the Provincial Council. He had moved that £800 should be devoted to this work. A public meeting had been held at Whangarei, and the settlers from the Maungakarema District asked that there should be a sum of money devoted to opening up this road. In consequence of applications from the district a report was made by the Provincial Engineer, who said,—

"I have received instructions to have the survey made, and to meet their wishes as far as possible out of the General Government grant for roads and works North, and to report further on the matter. The survey is now being made."

A promise was then made and a resolution passed by the Provincial Council, but from that day to the present time nothing had been done. With regard to the tramway at Kamo, he must appeal to one of the honorable members for the City of Auckland, who, with himself and other members, visited the coal mine at this place, to bear him out in saying that this coal mine, which was worked by working-men, had for years supplied Auckland and the steamers calling at his harbour with coal. Applications had been made by various members of the House to have tramways made in different places, and the Government had done much in the way of opening up railway lines; but not the slightest assistance in any shape or form had been given to this which was one of the finest mineral districts in New Zealand. This coal mine had been worked with a certain amount of advantage by working-men, and not by capitalists, and he ventured to say that the House should in every possible way assist men of this stamp, feeling that it must be a good speculation, because, if it failed, the men, being working-men, must abandon it. That was the best test; for men without capital could not go on working the mine if it did not pay. The sum he mentioned in his motion would not cover the whole cost, but he saw an opportunity of purchasing a tramway which was already made. There was no difficulty as to the purchase, or

as to fixing the grades of the line; but the men had not the means, and the county could not afford to lay rails along the tramway. If the tramway could be purchased for this sum of money, the Government would make a very good speculation. The very week they purchased it they could put a charge on the carriage of coal, limestone, and other goods, and it would be willingly and readily paid. There would be no lying out of the money. Interest would be got at once, and, where interest was got for the money on the spot, the House should hardly prevent the outlay of money which would not only return interest immediately, but would do good to a large district. The next item was the Mangapai Wharf, in reference to which the late Superintendent of the province had had a correspondence with the General Government. The recommendation of His Honor was so strong that he need place no further argument before the House in regard to the work. This was a part of what His Honor said,—

"I am still of opinion that these works would be of great public utility, and I should be much obliged by his Excellency the Governor being advised to assent to the expenditure proposed."

The resolution of the Auckland Provincial Council in reference to the subject was as follows:—

"On the motion of Mr. Ormiston, resolved, That a respectful address be presented to His Honor the Superintendent requesting him to place on the Estimates for 1874 a sufficient sum for the erection of a wharf on the Mangapai River, at a place already indicated by the District Engineer, and that the necessary approach be included in such grant."

This wharf would be at the end of the road opening up the district for which he asked the House to grant the sum of £1,000. It would make that road complete. The Premier's recommendation with reference to this bridge was, he thought, sufficient to induce the House to sanction the expenditure.

Mr. DIGNAN had much pleasure in seconding the motion of the honorable and gallant baronet, and could readily indorse every word spoken by the honorable gentleman in relation to it, so far as regarded the Provincial Council of Auckland. That body was always ready and willing to proceed with these works, but the difficulty was solely one of money. A sum of money had been granted by this House for the purposes, amongst others, mentioned by the honorable gentleman; but, instead of handing it over to the late Superintendent for distribution, it was given into the hands of the Northern Native member for the time being, in whose district it was principally spent. At the time the honorable member moved in this matter in the Provincial Council, his greatest grievance was the wharf at Whangarei Heads. The Provincial Government would have proceeded with that work, but it was found, after examination by their engineer, that the estimate then stated by the honorable member was wholly inadequate for the proper construction of the wharf, and, the Provincial Government not having available funds, the next

best thing was done—namely, the Superintendent recommended the immediate carrying out of the work to the General Government, more especially as Abolition had in the meantime taken place. But, as regards the truthfulness of the honorable member for Marsden's statements, the necessity for the work, and also the earnest desire and intention of the late Superintendent to carry it out, had means and opportunity been afforded, he (Mr. Dignan) could unhesitatingly testify.

Motion made, and question proposed, "That this House will, to-morrow, resolve itself into a Committee of the Whole to consider of an address to His Excellency praying that he will cause to be placed on the Supplementary Estimates the following sums for the works set opposite to them respectively: Road from Mangaturoto to Waikakei, £1,000; for opening road at Ruatanga, £300; wharf at Whangarei Heads, £600; road at Maungakarama, £800; tramway at Kamo, £2,000; Mangapai Wharf, say, £800: total, £5,500."—(Sir R. Douglas.)

Mr. J. C. BROWN thought the reasons adduced by the honorable gentleman in favour of the motion were not such as to induce the House to assent to it. He commenced by lecturing the House upon its past proceedings in reference to the Piako Swamp. He also told the House that this work was much required; but he (Mr. Brown) strongly objected to large amounts being spent in a country which the honorable gentleman described as being of little value, and as consisting largely of swamp. As to that portion of the honorable gentleman's argument referring to the settlement of the country, he might say that in the district he had the honor to represent a large proportion of the land had been sold to small settlers at very high rates, and those parties could not get access to their lands for want of roads. He was quite as liberal as other honorable members in the matter of making provision for opening up the interior of the country to settlement, but there were other matters to be considered beyond the voting of money to facilitate settlement in remote districts through valueless country. Some few years ago £60,000 had been voted by this House for roads and bridges north of Auckland, and now they were asked for further sums. In looking over a return placed on the table, he found that 2,000,000 acres in the Province of Auckland realized £274,000, leaving an area still to be sold of 877,000 acres. In Canterbury 2,250,000 acres had been sold, yielding £3,750,000, and there still remained about 6,250,000 acres to be disposed of. In Otago there had been sold 2,000,000 acres, realizing £1,700,000, leaving 11,500,000 acres to be disposed of. He did not think the honorable gentleman had given very good reasons for the adoption of the motion, but he would not say whether he himself would support it or not: he would be guided by further argument.

Mr. LUSK thought the honorable member for Tuapeka had misapprehended the arguments of the honorable member for Marsden. He did not understand the honorable member to say that the land was of no value, or that a very large proportion of it was swamp. What he understood the

Mr. Dignan

honorable gentleman to say was, that the land on the sea-coast, which was accessible by water, was not good land, but that the inlying land was very good, but was inaccessible for want of roads. When the honorable gentleman referred to the swamp land he distinctly stated that it might be turned to excellent account by the expenditure of a little money on drainage. He could speak with some degree of certainty as to the desirability of these works. A great many years had elapsed since the settlers in this district took up their land; they had struggled on against great difficulties, and had succeeded in holding their own, but they had not made the progress it was desirable they should make. The motion did not ask the House to do anything new. It did not ask it to do anything that it had not done, and was not actually doing now, for other parts of the colony. He understood that a very large sum of money was to be asked for in order to provide for certain provincial liabilities, and those liabilities were to a large extent intended to meet payments for works which in no sense differed from those referred to in the honorable gentleman's motion. The only difference between these works and some others that were included in the provincial liabilities was that the sums for the execution of these latter works had actually been put down in the provincial estimates, but had never been expended. He did not see that that made any great difference. The mere fact that they were put down in the Estimates, and that no steps had been taken to carry them out, did not seem to him to give any greater guarantee for the carrying out of these works than the promise that these works should be carried out as soon as the money could be got. He thought the House would admit that, in all fairness, these works should be included in the provincial liabilities of the Province of Auckland. They were works which the provincial authorities promised to carry out, and about which a great amount of correspondence took place, not only between the provincial authorities and the settlers, but between the provincial authorities and the Colonial Government when the Colonial Government was about to advance money for these works. Under these circumstances he thought they should be treated as provincial liabilities of the province. That, he understood, was the object of the motion. Did the House but know the circumstances of the district, were the members but cognizant of the efforts that had for many years been made by the settlers to improve their own position, and to develop the resources of a country which would hereafter be a source of great wealth to the colony, they would not begrudge the assistance asked for.

Mr. MANDERS thought the honorable member for Marsden had very clearly put a case which applied not only to the honorable gentleman's own district but to his (Mr. Manders's). Works of this kind should be encouraged. They were works of a class which the Provincial Council of Otago had endeavoured to encourage, and he thought it was the duty of the State to give every facility for the development of works which would aid the efforts of working-men who were endeavouring

to advance the value of their property as well as the interest of the district they lived in, and, consequently, the prosperity of the colony as a whole. He cordially supported the motion.

Mr. WHITAKER said he did not intend to repeat the arguments that had been advanced in favour of the motion. He merely wished to remind the House that the North of Auckland had a strong claim in the fact that no part of the money voted for the construction of railways in various parts of the colony had been spent in the district north of Auckland, except one short line to Kaipara. That district had already been described as one of very great importance, and one which would hereafter contribute largely to the revenue of the colony. All the people resident in the North of Auckland would have to contribute their share of the interest on moneys already borrowed, and he thought they had an unanswerable claim to the expenditure asked for. He should therefore support the motion.

Mr. SHEEHAN thought it was a pity that the honorable member for Marsden should have raised a discussion on this motion, which was purely a formal step. It would have been better to have moved the motion formally, and to have taken the discussion on the subject when the motion came on for consideration in Committee. It was extremely gratifying to hear the opinions expressed by the honorable gentlemen in favour of justice being done to the North of Auckland. He (Mr. Sheehan) had to fight that battle two or three years ago; and last year, when he moved a motion expressing the same sentiment, it was opposed tooth and nail, Sir Julius Vogel stating that it was a "bogus" motion, introduced for the purpose of talking to his (Mr. Sheehan's) constituents and not to the House. Times were changing, and, he supposed, men were changing also. He was very glad that there was at last a probability that the North of Auckland would receive some assistance. The sum of £50,000 which was voted by the House for roads and works north of Auckland was only partially spent as it was intended to be spent. A large portion of it was spent for the purpose of keeping the Natives quiet, and another large portion of it was expended on works altogether outside the districts in which it should have been spent. He quite agreed with the honorable member for Marsden that the whole of the works referred to in the motion would have been carried out if the provinces had continued to exist and the promises of the General Government to assist had been fulfilled. He also agreed that these were strictly provincial liabilities, and he confessed to a want of shrewdness on the part of himself and others who were members of the Provincial Council of Auckland in 1874 and 1875 in not having piled up the provincial liabilities as they might have done. Other provinces which did so were now getting hundreds of thousands of pounds: in fact, he thought that the farther south they went the more "canny" the people became, and the better they understood the way to work the financial oracle. He would point out to the honorable member for Marsden that he should make his motion apply to the whole of the dis-

trict north of Auckland, because his was not the only place in which money was required to be expended in the same way. At the same time it should be remembered that it was not advisable to authorize the expenditure of more money than the colony had or could raise. On Monday next the Colonial Treasurer would make his Financial Statement, and the House would then be able to see what amount of money was available for the purpose, and whether it was desirable that the works should be proceeded with. It was quite true that on the Supplementary Estimates a large number of extra works were asked for, and these extra works he believed were estimated to cost about £170,000. In reference to that, he might say that, if they were to carry out those supplementary works, it would be necessary to provide that that part of the colony from which he himself and the honorable member for Marsden came should receive more consideration than was proposed to be given to it, if the financial state of the colony admitted of it. In fact, he thought far more might be done for the North of Auckland than was at present contemplated. He believed that the honorable member for Waikato had managed to get a sum of £10,000 placed on the Supplementary Estimates for works north of Auckland, but in his opinion that sum was not nearly enough. It was well known that the resources of the country north of Auckland were very great. There was an immense field for settlement, and there were great riches in the shape of minerals, &c. He hoped that the district would get a fair share of the public money.

Mr. REES said the honorable gentleman who had brought forward this motion had availed himself of his (Mr. Rees's) assistance and advice before moving in the matter. He found that, though the colony would this year have to provide £661,000 on account of provincial liabilities, the Province of Auckland would only get £9,405. As the Native Minister had put it, the Provincial Council of Auckland was determined that when the province was wound up there should be found as little as possible in the shape of debt in connection with it. The consequence was that the province had no bank overdraft, and there were no contracts in existence, so that the colony had neither to pay off any overdraft nor to carry out any contracts on behalf of the province. Last year the provincial liabilities of Auckland were only £2,000, and this year the munificent sum of £9,405 7s. 10d. was set down. While Auckland was only to get that small amount, Taranaki was to receive, in round numbers, £20,683; Wellington, £194,162; Hawke's Bay, £8,333; Nelson, £66,742; Marlborough, £6,536; Canterbury, £95,473; Westland, £13,043; and Otago, £246,664. It would be seen that Otago, Canterbury, Nelson, and Wellington would get by far the greater part of the money, while the second province in the colony—a province which possessed great undeveloped resources, and which had all the natural products which tended to make a country prosperous—was to receive the munificent sum of £9,405. That province was possessed of vast wealth in the shape of gold, iron, timber, and flax: in fact, as far as its resources

went, it was perhaps unequalled by any other province in the colony. As he had said, that province was to get the munificent sum of £9,405, which sum would have to be spent during the current year, and it would then be charged as a debt against the province. This was not only not just, but it was inexpedient. He found that the money was to be spent on gaols, hospitals, harbours, and other kinds of works; and therefore the honorable gentleman who asked that this motion should be carried by the House was merely asking that, to some small extent, the district which he represented might be put upon an equal footing with the rest of the colony. There had been as yet literally nothing done for the settlements in the North of Auckland. In Port Albert, for instance, there had been no money spent, and the settlers, who were industrious, hard-working, and honest men, had been compelled to expend fully as much as the value of the produce they had raised in making roads to their farms and clearing their land. As the House would see, he himself had a motion referring to the same subject on the Order Paper. He thought that the honorable member for Marsden was making a just and reasonable claim. He trusted that the Government would be induced to place on the Estimates for this purpose such a sum of money as the colony would have had to expend if the Provincial Council of Auckland had made all sorts of votes before the Abolition Act came into operation. As he had shown, the Province of Nelson was to get £66,742 this year on account of provincial liabilities, and he believed that last year the same province received between £30,000 and £40,000 for the same purpose; and, while there was so great a difference in the sums that were to be spent in the two Provinces of Auckland and Nelson, the population of the latter was only about one-fourth that of the former. If the population of Auckland had been taken into consideration the province should, in comparison with Nelson, have received about £220,000. The complaint of the honorable member for Marsden was that, though the money he asked for had been voted by the Provincial Council of Auckland, his district was to be neglected. It was to be neglected, first, because the Provincial Council of Auckland had not the money to expend; and, secondly, because the Provincial Council would not leave itself entangled in a mass of debts when it gave up the ghost. That was the only reason; and therefore there was a great amount of justice in the demand made. But the argument would be strengthened, if it required to be strengthened, by this consideration: that the people in the Districts of Rodney, Waitemata, Bay of Islands, and Marsden paid just as much in the way of Customs duties as the people in Wellington, Dunedin, or Canterbury, and yet received no share of the expenditure. They were consenting to pay taxes unparalleled in extent—a rate per head never paid before by any people; and what for? Simply for the purpose of paying interest upon a debt which had been spent elsewhere. They had no benefit from the enormous amounts of money which had been expended in Otago and Canterbury—Canterbury,

*Mr. Rees*

which had been the Benjamin of this colonial family, which had had a large Land Fund, and had had an enormous amount of borrowed money spent in it on railways and public works.

*Mr. MONTGOMERY.*—We do not give our land away for 5s. per acre.

*Mr. REES* said that did not in the least affect the question. It was an illustration of the proverb given them on Divine authority that, "To him that hath shall be given, and to him that hath not shall be taken away even that which he hath." The honorable members for Waitemata, Rodney, Bay of Islands, and Marsden saw their constituents compelled to pay, year after year, a full share of the taxation, in order simply to pay the interest on the borrowed money spent in Canterbury.

*Mr. MONTGOMERY.*—We pay every half-penny.

*Mr. REES* said the figures did not show it. He would put it in this way: The total amount spent in public works and immigration had been thirteen millions, and, out of that, one-third, or nearly one-half, had been spent in the Provinces of Otago and Canterbury. He felt sure he was not wrong in saying that, and he was equally sure that those provinces did not pay one-half the interest, or anything like it, and, besides that, they had a large Land Fund. While the Province of Auckland was more populous, and while from the very first it had been paying large amounts in the shape of Customs revenue to the general revenue of the colony, double the amount of borrowed money had been spent in Canterbury or in Otago that had been spent in Auckland. All that the people of Auckland were doing was to pay interest on money spent in Canterbury and Otago. The only public work in Auckland had been the Auckland and Mercer Railway. The provincial liabilities estimates for the present year showed clearly the position that Auckland was in. The estimated expenditure in Auckland this year, excepting necessary governmental expenditure, was something like £10,000, while in Canterbury it reached something like £100,000 odd. He did not complain of that, nor did he deny the right of the Provincial Council to place itself in the position in which it had placed itself; but he thought that, when the Province of Auckland showed itself to be in want of some urgently-required public work exactly analogous to those which were treated in other provinces as provincial liabilities, then it was entitled to careful consideration. The same thing was to be seen in the Supplementary Estimates for this year. The estimated expenditure in Auckland on account of immigration and public works was about £10,000 or £12,000 out of a total amount of £180,000 or £190,000. Take the two things together—that of a total amount of £180,000 or £190,000 on the Supplementary Estimates Auckland was to get £10,000 or £12,000, and that of a vote of £661,000 for provincial liabilities only £9,000 fell to Auckland. Was that fair? He submitted that it was not fair; and it was for that reason that he urged upon the honorable member to make his complaint a general one as regarded the Pro-

vince of Auckland. The remedy for this was what he had pointed out. The Province of Auckland would have been able to do these works if it had been treated properly. It voted the money, and would have executed the works if the ordinary proportion of the Customs revenue had been given to it: if the agreement in that respect made in 1870 had been carried out, every one of these works would have been done, roads would have been constructed, the jetty at Whangarei would have been built, the tramway would have been purchased—all these useful and reproductive works would have been attended to if the Customs revenue had not been taken away, and if there had not been a reversal of the promises made in 1870. He did not care so much about the particular items, but he trusted the principle would be adopted that there must be something in the way of reparation to these districts, seeing that the province had never been in a position to spend money; because, although the people had paid enormous sums into the revenue, they had had to shave everything very closely in order to be able to defray the ordinary expenses of government. He did not care so much about the items as about the principle. Auckland had had scant justice or no justice at all, and he trusted the principle would be indorsed and the Ministry invited to make some reasonable reparation, so as to place Auckland in a fair and equal position as compared with other provinces, and so as to remove from the minds of the settlers the impression that they were paying taxes in order to pay the interest upon borrowed money spent in other places. If the money had been expended fairly there could be no doubt that all these works in Auckland would have been done long before this. The people of Auckland had felt keenly for some time; and the same inequality which had marked the past was to be seen this year, when, out of an expenditure of £661,000 to meet provincial liabilities, Auckland was only to have some £9,000. It could hardly be said that that was treating that populous and wealthy part of the country in a proper manner. The people of that province should be induced to think that their interests received the same consideration at the hands of the House as those of any other part of the colony.

Mr. GISBORNE said that, if any argument were required to show that the proposed appropriations for public works in different parts of the colony required careful consideration, it would be found in the estimate of the sum that would be required in the year ending the 30th June, 1878, to defray the salaries, expenses, and services chargeable as provincial liabilities. The honorable member for Auckland City East and the honorable member for Rodney seemed to think that Auckland was placed in a worse position merely because its Provincial Council did not vote as large a sum for public works in excess of their appropriations as other provinces; but there was a much lower depth of, he would not say iniquity, but of unequality, in these transactions than was furnished by the appropriations of the Provincial Councils. If honorable

gentlemen would look at this estimate they would find the large appropriations which were made under the Provincial Appropriations Extension Acts. How were those sums appropriated? They had been made by the Superintendents in conjunction with the Colonial Treasurer or some one representing the Government. He was afraid the late Superintendent of Auckland was not as wise in his generation as "the children of light" who were Superintendents of other provinces. The provincial appropriations were concocted by the Superintendents in conjunction with the Colonial Treasurer, either by telegraph or by correspondence, without any one else knowing anything about the matter. In Auckland those appropriations only amounted to £2,034 4s. 1d.; in Taranaki they amounted to £6,417 17s. 4d.—three times as large as for the Province of Auckland. In Wellington, the seat of Government, the provincial appropriations amounted to £63,733 17s. 6d. In Hawke's Bay they had been pretty moderate: they only amounted to £1,706 11s. 5d. The Superintendent of Nelson, in his dying moments, seemed to have been rather prodigal of the public money, as there the provincial appropriations amounted to £21,038 6s. 2d. In Marlborough they amounted to £2,386 1s. 9d., or over £300 more than in Auckland. He would not say anything about Canterbury, as it had money at its credit. Its appropriations amounted to £55,808 14s. In Westland they amounted to £10,723 4s.; and in Otago they amounted to £57,997 2s. 8d. It would be plainly seen that those were very unequal appropriations for public works in the different provinces, and which, in the case of those provinces which had not the money, would have to be paid now out of the colonial funds. He would say that such a state of affairs furnished a very strong argument that the Government should, in placing items for public works on the Supplementary Estimates, really try to adjust the inequality in some way or another, because, after all, those large liabilities had been imposed on the colony by concert between Superintendents and the Ministers of the day, without any appropriation by the provincial representatives or by the representatives of the colony. Those provinces should not get the benefit of the advantage taken, he believed, in excess of the law, and of which advantage the Superintendents of other provinces did not choose to avail themselves. The Government should consider the whole system of providing money for those large public works which had no Provincial Councils now to look after them, which were not looked after by the County Councils, and which the Road Boards could not now look after. The Government should take the question of making provision for those public works into their serious consideration, and try and distribute that provision equitably and fairly over the whole colony. He quite recognized the claim included in the motion of the honorable and gallant baronet. Provision should be made for roads and works of the character named; but he hoped that the Government, in considering the question, would not confine themselves to Whangarei or the North of Auckland, but would extend their



view over the whole colony. Until such time as a system was provided by which works could be executed by the local authorities, this House, in distributing the funds, should do so as fairly and as equitably as possible.

Mr. REYNOLDS could not exactly agree with the last speaker, or with the honorable member for Auckland City East. There was no doubt that in the Provinces of Canterbury and Otago there was a large amount of provincial liabilities, but in both those cases the land revenue would meet those liabilities; whereas, in the other provinces, he did not think the land revenue would be so readily available to meet the liabilities which might be incurred. The honorable member for Auckland City East had evidently not seen the return which had been laid on the table lately, otherwise he would not have made the statements he had made. The honorable member stated that Auckland had been very badly used for years past. He (Mr. Reynolds) was prepared to prove that there had been a larger expenditure in Auckland than there had been either in Otago or Canterbury. He was prepared to prove that from this return. The following were the amounts expended for ordinary purposes, exclusive of Native and Defence, out of the Consolidated Fund and out of loan in the Province of Auckland from 1856-57 to 1873-74:—Out of revenue, 42 per cent. on the whole of the contributions during those years to the Consolidated Fund, and 31 per cent. out of loan. In Canterbury, the figures were respectively 46 per cent. and 26½ per cent., and in Otago 42 and 16½ per cent. In addition to this return, there had been a return laid on the table for the last three years; and what did they find? They found that in 1874-75 there had been expended in Auckland—out of revenue 52 per cent., out of loan 146 per cent.; for 1875-76, 53½ and 108½; for 1876-77, 50½ and 63½; while in Canterbury the figures stood, for 1874-75, 41½ and 135½; 1875-76, 46 and 115; 1876-77, 51½ and 24½; and in Otago, for 1874-75, 33½ and 146; 1875-76, 35½ and 109½; 1876-77, 40 and 85½. Those who would take the trouble to study these two returns would be able to judge for themselves whether Auckland had not received a much larger expenditure in proportion to her contributions to the revenue since the introduction of the Constitution Act than either Canterbury or Otago. The honorable member had made a great mistake in saying that a larger expenditure out of revenue and out of loans had been incurred in Otago and Canterbury. He was astonished to see that there were many honorable members who had taken the same view, notwithstanding that the statement had been contradicted times without number. Even the honorable member for Egmont had stated that this return was of no use. Well, it was a return from the Treasury.

Major ATKINSON.—Not approved of by it.

Mr. REYNOLDS.—It was a return from the Treasury of the revenue and expenditure in each provincial district, and he could not understand how it could be called fallacious. He would quote some figures to show how it might be considered fallacious and not approved of by the honorable member for Egmont. He found that Taranaki

had received 82 per cent. out of revenue and 79½ per cent. out of loan up to the year 1874. What did they find for the last three years? In 1874-75 Taranaki had received out of revenue 113½ per cent. and 420½ per cent. out of loan; in 1875-76, 112 per cent. out of revenue and 267 per cent. out of loan; in 1876-77, 114 per cent. out of revenue and 394 per cent. out of loan. This expenditure was altogether irrespective of that incurred for Native and Defence purposes. If the honorable member considered the return unreliable, let him contradict the accuracy of those figures by proving them wrong. If the honorable member could contradict those figures, then he would admit that he was right in his opinion.

Mr. KELLY said the honorable member for Port Chalmers had made a great mistake in including the war expenditure which had taken place in Taranaki as local expenditure. He had also omitted to give credit for Customs revenue paid in other ports. The return was therefore utterly fallacious as regarded Taranaki.

Mr. MACANDREW thought it only right to state that, in the case of Otago, to which allusion had been made, the liabilities had been legally incurred for contracts entered into by the Provincial Government prior to the date of abolition, some of which extended over several years, and that not one of them had been incurred by virtue of any arrangement between the Colonial Executive and the Superintendent of the province. The same could not be said in the case of Nelson, where he found a liability of £30,000 had been incurred within a few days of the end of 1876, nearly three months after the provinces had been abolished. He had no doubt there was concert between some individual and the General Government in that case; but there was nothing of the kind in the case of Otago.

Mr. HUNTER, speaking for Wellington, might repeat what had been said by the last speaker in regard to Otago. As far as he was aware, nothing of the kind alluded to had happened in regard to Wellington. The £194,000 charged against that province was, to the extent of £100,000, to repay a loan, and was secured by mortgage on the land reclaimed from the harbour. Those who had had anything to do with the administration of affairs in this province had always looked upon that as an asset very much larger than the amount secured on it, and that it would recoup all the liabilities of the province. He believed that the greater part of the liabilities, except the £100,000, set down against Wellington were for appropriations by the late Provincial Council. The amount for the reclamation, £28,000, might have been under Act of the General Assembly, but the rest was voted by the Provincial Council under the advice of the Superintendent and his Executive Council. As a contrast had been made between different provinces, it was only fair to say that at the time the administration of the affairs of the provinces fell into the hands of the General Government arrangements could have been made to pay off all the provincial liabilities to the General Government, including £275,000 raised under the Wellington Debts Act, a considerable portion of

Mr. Gisborne

which had since been paid off by the debentures received from the Manchester Association. Those who had had anything to do with the administration of the affairs of the province knew that it was handed over to the General Government solvent, and he was sure, if the asset to which he had referred was administered by the General Government as it would have been by the late Provincial Government, it would ultimately discharge the whole of the liabilities.

Motion agreed to.

#### NATIVE LANDS BILL.

Mr. REES moved, That this Bill be committed on Thursday, the 15th instant; and said that when he obtained leave to introduce it about two months ago it was fairly discussed and favourably considered. It simply had for its object to enable Natives to recover rent from Europeans, and to enable the Europeans to pay their rent to the Natives in specified sums, so that they might not have to pay it over again. He had taken occasion to state to the House the position of Native titles under "The Native Lands Act, 1867," and "The Native Lands Act, 1873," which seemed to his mind to render it necessary that some such Bill as this should be introduced. The Bill was read a second time after discussion, and was then referred to the Native Affairs Committee. He attended the meetings of that Committee by invitation, and, as far as he could judge, the measure met with the favourable opinion of the Committee. Afterwards, however, a report was brought up by the Chairman of the Committee (Mr. Bryce), in which the Committee came to a decision that, as the matter was one which ought to form part of a general measure dealing with the important subject of Native lands, and as that subject should be considered as a whole, and some fresh law passed incorporating only so much of the old law as would make the new workable, it would not be well to deal piecemeal with the subject, and therefore it might be better not to go on with this measure. The only objection, as far as he knew, that had been raised to the Bill by any persons interested in the matter, whether by European or Native, was raised by the chief Renata. Renata was a well-known chief residing in Hawke's Bay, a man who, personally and by his connection with various other *hapus*, was part owner or whole owner of large blocks of land in that province. He represented that if this Bill were passed it would take away from the large owners of different blocks their power to recover the right portion of the rent which was due to them, because it enabled the Native grantees to demand, and the European to pay to each of such grantees, an equal portion of the rent until the relative portions of each were defined by the Native Land Courts. The Bill did not open up that question at all. It left untouched the consideration of all questions in which, by agreement amongst themselves, the Natives had decided on a definite portion of the land as belonging to each of them, and also where agreements had been made by Europeans that they should pay to one or more of the Native grantees on the part of the whole. Therefore, when any agreement had been

entered into between the Natives themselves or between Europeans and Natives, that agreement would be left untouched. If the Bill were committed as he proposed, these objections might be heard; but if, on the other hand, the feeling of the House was that the Bill, being a part of another and larger measure which would have to be introduced next session to deal with Native lands—a subject which required much studious care—should be postponed until next session, he would not press his motion, especially when he considered that the session was so very late that it was inadvisable now to add any Orders to the Order Paper except such as were absolutely necessary. He moved this motion not so much for the purpose of pressing the Bill on as to explain the reason why the Native Affairs Committee recommended that it should not be pressed. As he had introduced the Bill, he did not like to let it drop without giving the reasons why he did not press it upon the House.

Captain RUSSELL was present during the sittings of the Native Affairs Committee when the Bill was considered, and might say that the way in which the honorable gentleman who had introduced it argued the question before the Committee showed that he was only desirous to do what was beneficial to both races. Unfortunately he (Captain Russell) was not present when the report was drawn up; but he thoroughly concurred in that report. He had armed himself with certain reasons why the Bill should be postponed, but, as he understood that it was not the wish of the honorable member for Auckland City East to press it, he would not go into those reasons. He would merely say that he had received several telegrams from Natives on the subject—one from Renata, who had got it into his head, whether rightly or wrongly, that the Bill if passed would injure him. The next telegram he received was from Renata and Tareha; and he had since heard that a petition was being got up by thirteen of the leading chiefs in Hawke's Bay, praying that the Bill should not be passed. He thought himself that the arguments which were urged by the honorable member on the second reading of the Bill had a great deal of force in them. It was necessary that something should be done to enable the Natives to take proceedings when the rent was not paid or was paid wrongly. As, however, it would be well to consider the whole of the subject next session, he would move, That the Bill be committed that day three months, unless the honorable gentleman should prefer to withdraw it.

Mr. REES would prefer that the matter should be decided on the voices. He did not wish to push the Bill, but would sooner the House took the responsibility of postponing it than that he who had introduced it should afterwards allow it to drop.

Amendment agreed to, and Bill ordered to be committed that day three months.

#### COUNTY AND MUNICIPAL ENDOWMENTS.

Mr. MURRAY, in moving the motion standing in his name, said it was probably rather

late in the session to introduce a question of such importance, but it would serve to ventilate the subject, and would probably induce the Government during the recess to devise a general system of policy to provide endowments from the public estate for the benefit of the counties and the municipalities throughout the colony. They were promised, as one of the results of Abolition, that the counties would receive substantial endowments; but that promise had not yet been carried out. The substantial endowments were taken from the taxation of the people, taxation which was raised from the great bulk of the population to be given to the owners of property; and, generally speaking, money raised in such a way was not very wisely expended. It was part of the policy introduced by Sir Julius Vogel to allow the House to get the control of the largest possible amount of money, and then to dole it out to the constituencies. Thus, instead of giving the people a real system of local government, they were made pensioners of the central authority. That was the system he wished to see avoided. He wished to see a system adopted which would provide a means by which the local bodies would be subsidized with permanently substantial endowments, leaving them to secure their own progress by the economic management of those endowments. Some time ago a motion was placed on the Paper by the honorable member for Waikato, who asked what provision had been made for the maintenance of the main roads in the various counties. They had since had very important evidence of the necessity of some such provision being made. The motion of the honorable member for Marsden, which was agreed to that afternoon, also pointed to the necessity for the adoption of some systematic and comprehensive plan by which these local bodies might be placed in funds to meet their own local requirements. The Parliament had now the control of a very large and valuable public estate, and it would act wisely in setting apart some substantial endowments, out of which those who came after them would be able to provide the means for the maintenance of hospitals and other charitable institutions. By doing so they would erect a lasting monument which would reflect creditably upon themselves. If they sacrificed the public estate future generations would curse the prodigal father who squandered their patrimony. It might be said that in making these endowments they would be locking up a large area of land which might be sold, and the proceeds used for various public purposes; but he maintained that the public estate could not be more beneficially utilized than by setting apart a reasonable proportion of it as endowments for local bodies. It might be said, also, that by so disposing of the public estate the public creditor would be deprived of his security; but it should be borne in mind that the proceeds derivable from the whole of the public lands of Great Britain only amounted to £350,000 a year, and it was not the security of that paltry property that enabled Great Britain to borrow £800,000,000 of money. Handing over the land as endowments for public bodies was not carting it into the sea. The land still remained as security to

the public creditor; but the sooner it passed into the hands of public bodies the sooner it would pass into profitable occupation. As long as the lands remained in the possession of the State they would be a source of trouble in that House, and the Government would be induced to deal with them in a way which was not consistent with Parliamentary independence. This proposal would get rid of the claims which were continually forced upon the Legislature by the local bodies. By giving them really substantial endowments, the local bodies would not require to come up for their annual dole to enable them to provide for their local works, and the prophecy of the late Colonial Treasurer would be realized—the formation of roads, bridges, and other provincial works would never be heard of in that House, “except by way of congratulation.” If the motion were carried to its legitimate issue the local bodies would be in a position to construct their own works; but if, on the other hand, they were improvident, as they made their beds so they would have to lie on them. If they were left to control their own private affairs, he was satisfied that the money would be much more wisely spent than it would be by the General Legislature. Under clause 350 and the following clauses of the Municipal Corporations Act of last year, it was competent to grant endowments to the extent of 2,000 acres to local bodies; but no allowance was made for difference in population. The second part of the motion provided that the endowments for municipalities should be made in proportion to population. By that means the larger municipalities, which had greater claims upon the colonial funds, would get larger endowments, and the smaller towns, which were at present precluded from receiving any endowment, would get some advantage as its share of the public estate. This proposal would not initiate any new system. A similar system was already in operation in Victoria, and in the United States. Amongst the returns furnished by the chief officers of departments of the Government services in America he found a statement made by the Commissioner-General of the Land Office to the effect that most of the towns at present being laid out contained on the average 16,000 to 23,000 acres. The lands outside the town not being required for building purposes, or for township lands, were set aside as endowments specially for the benefit of the towns. Although there was no general system in Victoria, a considerable extent of land had been set apart as endowments for municipalities. Ballarat had a very large endowment, which was productive of very great advantage to the people of that city. The amount of land set apart in the United States as endowments for towns was 5,221,000 acres. Relatively the positions of America and New Zealand were analogous, for, although the population of America was much greater than that of New Zealand, its extent of public lands was also greater, so that the population in proportion to the amount of public lands was about the same in both cases. Therefore they would act wisely in following the example of the United States. It would be foolish, with the public estate they had at their disposal,

*Mr. Murray*

not to make provision for those who were to come after them. When they considered the enormous claims that were made on the municipalities for the means to carry out sanitary works, water supply, drainage schemes, and other measures to provide for the general health of the people, it would be admitted that the burdens upon them were greater than they could possibly bear. The honorable member for Port Chalmers would bear him out when he said that, although the City of Dunedin was largely endowed, its burdens were very heavy, and would become much more heavy as the population became more dense. He regretted that he had not had time to get up the subject, so as to do that justice to it which its importance demanded, but his time had been so fully occupied in attendance on Committees that he had not been able to give to it the full consideration it deserved. However, the motion would call attention to it, and, although the result could not take any tangible form this session, he hoped the Government would, during the recess, take the matter into consideration with the view to bringing down a Bill next session by which the system of reserves might be dealt with in some comprehensive way. It was most disheartening to witness the constant scrambling in that House for endowments for harbours, atheneums, commonages, and every other description of public institution that could possibly be imagined. It was necessary that they should all be placed on the same footing. As the honorable member for the Thames (Mr. Rowe) said, they should all start fair. There were districts which, by their unfortunate disadvantages, had not a large extent of Crown lands at their disposal. They were poor, and their poverty impelled them to make claims upon the House; but their demands were not always corresponding to their necessities, and it was not those who clamoured the loudest who should receive the largest share of consideration. They should all be put in the same position. He would reserve any further remarks he had to make until he made his reply upon the discussion. He trusted that, without any unnecessary delay, honorable members would agree to the resolutions of which he had given notice.

Motion made, and question proposed, "(1.) That each county in New Zealand should have a permanent inalienable endowment of Crown lands, in proportion to the area of such county, and the endowment, where possible, to be within the county. (2.) That each municipality in New Zealand should have a permanent inalienable endowment of public lands, in proportion to population, and the endowment, where available, to be within the municipality."—(Mr. Murray.)

Mr. O'RORKE thought it right to draw attention to a branch of the subject which was worthy the consideration of the House. It was in the knowledge of honorable members that in passing the Municipal Corporations Act last session provision was made by which municipalities might acquire endowments outside their boundaries. He did not intend to go into the whole question now; but he thought that as a rule the endow-

ments should be as nearly as possible within the specific boundaries of the municipalities. What he wished to draw attention to was the manner in which that clause of the Bill had been acted upon. He had heard a great deal in the House of having one united colony, but he believed that underneath that cry there was a desire, on the part of some who clamoured loudly for unity, to absorb as much of the public estate as possible for local purposes. It did not appear to his mind to be fair that the members for the City of Christchurch, Messrs. Richardson, Sterens, and Moorhouse, could obtain for their borough 2,000 acres of land, not within the town boundaries, but amongst the fat lands of Timaru. The honorable member for Lyttelton also had no difficulty in acquiring for his borough 2,000 acres of fine land in the Ashburton District; the honorable member for Kaiapoi also could get 2,000 acres of land for his borough; and his honorable friend the member for Akaroa could do the same. It struck him as being remarkably unfair that all this could take place without the knowledge of the House, and that, too, after the House had prorogued last session; and yet, when he asked the House during the session for a small endowment within the municipality which he represented, he was debarred, by a practice which had grown up in the House, from bringing the matter under discussion. Unless he could obtain the consent of the Ministry to bring it under discussion the House could not deal with it, and yet, when the session was over, favoured members could get any land they wanted for their constituencies. He held that some members should not obtain favours of this sort while others were excluded. It was with the view of having the matter fully considered by the House at some future period that he would propose the following addition to the motion—namely, "and that no grants under 'The Municipal Corporations Act, 1876,' of land outside municipal boundaries be made before the close of next session, in order that a further opportunity may be afforded for considering the endowment of municipalities on some uniform system." He believed that some of the Corporations in Canterbury which had obtained grants of land were among the richest in the country, while poorer municipalities could not obtain anything at all. He was in favour of giving endowments for the construction of waterworks and public undertakings of that sort, but he did not think it was desirable that municipalities should have princely estates a hundred miles off. He did not move the amendment with a desire to interfere with the proposal of his honorable friend the member for Bruce: in fact, it was quite a distinct proposal, on which the sense of the House could be taken apart from the decision on the main question.

Mr. BURNS did not object to the resolutions of the honorable member for Bruce, because the House would have another opportunity of discussing the matter; but he did object to the addition proposed by the honorable member for Onehunga. The House last year passed the Municipal Corporations Act, under which numbers

of municipalities had already been formed, and they had been looking forward to getting their endowments under that Act. He did not think it would be fair that the power of granting those endowments should be taken away. This was no new thing. There was scarcely a city within the colony which had not got endowments already, and any city that came under the existing Act would get the endowments they were entitled to. It would be wise, he thought, on the part of the House to reject the proposition of the honorable member for Onehunga. It would be better for the House at once to say that it would hang up the whole Act for a year, because then the public would know what they were about. He thought it would be most unfair, after having passed the Act and allowed many municipalities to come under its provisions, to deprive these municipalities of the right of obtaining the grants of land that they were fully entitled to under the present law. It was natural that the honorable member for Onehunga should feel aggrieved if the municipalities in his district could not obtain the grants of land to which they were justly entitled, but there could be no doubt that any city or municipality which had come under the operation of the Act was entitled to claim such grants. He hoped the House would pause and consider before it agreed to the motion.

Mr. MONTGOMERY wished to make an alteration in the original motion. He desired to excise the words "in proportion to the area of such county" from the first part of the motion. In the Provincial District of Canterbury, from which he came, there were several counties of very large area, and some of the land within them was so inferior in quality that it was of very little value. Therefore it would not be fair to give the counties endowments in proportion to the area within their own boundaries. It was not fair to make endowments irrespective of the requirements of a district. He would move, That the words "in proportion to the area of such county" be struck out; and he would have a few words to say thereafter respecting the amendment proposed by the honorable member for Onehunga. He might say at present that he sympathized with those municipalities which had got their endowments under the Act, and he did not believe that the House would consent so to deprive them. He thought, however, that the whole question of endowments, and also of subsidies paid from the consolidated revenue, should be considered next session. At the present time the City of Christchurch was absolutely without endowments of any sort except the 2,000 acres of land lately reserved, while Auckland, Wellington, and Dunedin were largely endowed. When they began to consider the question of endowments they would have to take into consideration the endowments which were already held by some municipalities. It might be considered unfair that a municipality which was already largely endowed by reserves of land should have the same amount of subsidy annually from the consolidated revenue as a town of the same size which had no landed endowment. He was of opinion that it would be found that the Corporations in the Provin-

cial District of Canterbury were very lightly endowed. A very large question had been opened up by this motion, and it would have to be considered at some future time; but it would certainly be unjust to prevent the provisions of the law from being carried out in those cases where municipalities had been formed under the Municipal Corporations Act. Christchurch had an endowment of 2,000 acres of land, which, at the outside, would bring in about £400 a year. He did not think that that was a proper endowment for a city of that size. He would vote against the amendment of the honorable member for Onehunga.

Mr. STEVENS intended to support the proposal of the honorable member for Bruce, and he did so because he felt convinced that, although no practical action might come of it immediately, yet it pointed in the direction he desired to go. He agreed very much with what the honorable member for Akaroa had said, that there were cities and boroughs which were absolutely without any endowment except the 2,000 acres given to each municipality by the Act of last year; but the principle adopted last year seemed faulty, inasmuch as every borough, without reference to its size, got the same quantity of land. That he considered to be very rough justice, if justice at all. Still, so far as reversing the action of last year seemed to be proposed, he could not consent to that. The question opened up by the honorable member for Bruce was of so large and important a character that he had been rather surprised to hear no indication given by the Government of the view they took of the matter. The honorable gentleman in charge of the finances of the colony must be aware of the enormous drain upon the land revenue for these annual aids to revenue in order to secure some approximation to making revenue meet expenditure; therefore he submitted that the Government should, before the discussion closed, give the House some indication of what were their feelings upon the subject. It was far too large a question to be treated as an ordinary private member's motion, and perhaps his hint would not be allowed to pass unnoticed. He should like to take this opportunity of going much further than the honorable member for Akaroa. He would say point-blank that in his opinion the time was rapidly approaching, if it had not already arrived, when the subsidies from the Consolidated Fund to these local bodies, whether to the municipalities or to counties, must be resumed by the colony, and when fixed endowments must be given from the landed estate as part of that general scheme of consolidating the resources of the colony which could not be much longer escaped. He might add that he thought that, as this question entered so largely into and so immediately affected the financial position of the colony generally, it would have been much better taken in a Budget discussion. The honorable member for Bruce had brought forward a question the last of which would not be heard that day, and he (Mr. Stevens) should support him in the position he took up.

Mr. MACANDREW assured the honorable

*Mr. Burns*

gentleman that the Government thanked him for the hint; but it was not necessary, for it had been arranged that the Premier should express the opinion of the Government on the question, which no doubt he would do before the debate ended. He might add that he hoped the amendment of the honorable member for Onehunga would not be pressed, because it would interfere with certain applications which had been granted, and in respect of which the lands were in course of being handed over. He thought it would be wrong to interfere with these.

Mr. W. WOOD said he had no doubt that the Government had given the matter serious consideration, and he quite agreed that the effect of the amendment proposed by the honorable member for Onehunga would be a great injustice, if passed. But he was not sure that it would have any effect. If agreed to, it would become part of the resolution, and, as was well known, a resolution could not override the law. And, if any grants had been given as the honorable gentleman stated, it was the duty of the House to look closely into the matter, for neither the late nor the present Government had done its duty. The law required that the proposed grant should be laid upon the table of the House, and, if both Houses did not pass a resolution forbidding the transaction, then the municipality would obtain the grant. If one House only passed a resolution, it would have no effect. If, therefore, these grants, or proposed grants, had not been placed upon the table of the House, the law had not been conformed with. One reason why he hoped the amendment would not be agreed to was this: He himself had an application to make. He was not yet in a position to send it in, but would be in a few days. With regard to the proposal of the honorable member for Akaroa to omit some few words, he thought it advisable that those words should not be omitted. The honorable gentleman stated, and it was well known, that there was in some counties a large quantity of almost worthless land, and therefore it might happen that the endowment might be of an inferior character. It mattered not what was the quality of the land, so long as it was fairly taken—the principle would be the same.

Mr. RICHARDSON felt bound to oppose the amendment of the honorable member for Onehunga, and expressed sorrow that that honorable member had introduced the question of grants in the terms in which he had, having said, amongst other things, that it was only a favoured few who had been able to secure this endowment. The fact was, the law as passed last session was open to all, and the Christchurch Borough Council, immediately on the passing of the Act, had sent in an application, and the land was granted. He believed that municipality was one of the poorest in the whole country so far as endowments were concerned. Except this 2,000 acres, which it had obtained owing to the legislation of last session, it had nothing. He must support the resolution, but must vote against any suspension of the Act of last year.

Mr. WHITAKER considered the amendment of the honorable member for Onehunga one which

should be adopted. As for the claims of the municipalities which had sent in applications, he would call the attention of the House to the particular terms of "The Municipal Corporations Act, 1876." Clause 350, which gave the supposed right to obtain these reserves, provided,—

"It shall be lawful for the Governor in Council, upon the request of the Council of any borough, from time to time to reserve any of the waste lands of the Crown within the provincial district in which the borough is, for the purpose of granting the same to the Corporation of the borough; but the total quantity of land so granted shall not exceed one hundred acres of land within the borough, and two thousand acres of land in any other part of such district."

By that the lands were merely set apart; but what followed? The next clause provided that a description of the land was to be placed before Parliament. The clause said,—

"A description of all lands so reserved shall be laid before Parliament during its next session thereafter; and, unless both Houses of Parliament by resolution express their disapproval thereof, the Governor may, after the conclusion of such session, grant such land or so much thereof as he thinks fit to the Corporation of the borough in trust, either for the use and enjoyment of the inhabitants of the borough, or as sites for public buildings or other special uses, or as an endowment in aid of the borough funds. But if any such resolution is passed by both Houses the said land shall cease to be so reserved."

It would be observed that the Governor was not bound to make the reserve: he was only to do it if he thought fit; so that he (Mr. Whitaker) could not see that at present any of these Corporations had any established claim whatever to the land they had applied for. Special power was given to the House to express its opinion on the matter of the reservations, and he thought the House should now avail itself of its right, and express the opinion that the whole matter should be left over till next session, to be dealt with then. That decision would not affect the cases the Hon. the Minister for Lands had spoken of, because if the reserves were made at once they could not be ratified until next session. As to the manner of granting these reserves, there did not appear to him to be any particular rule by which land should be granted. It must be conceded that the system would work very unequally. The Port of Lyttelton was not one-tenth the size of Christchurch, yet it got 1,500 acres; Christchurch got 2,000; Kaiapoi, not a very large place, got its 2,000; and Akaroa, another place in the same category, though no doubt the honorable member for Akaroa would tell them it was a very important place, got its 2,000 acres. Then Oamaru was very modest: it only got 228 acres and 2 roods. If the House once consented to give to the present applicants 2,000 acres of land each, how could they refuse to give the same quantity of land to five hundred boroughs—if there should be so many—throughout New Zealand? It was not merely a question of granting the acres of land mentioned in the return, but it was a question of endowing the many Corpora-

tions that would from time to time spring up throughout the country. He did not wonder at the honorable member for Onehunga bringing the matter forward, because it so happened that the Borough of Onehunga had no endowment of any kind whatever. The honorable member brought in a Bill for granting an endowment of a certain piece of land, situated near Onehunga, which had been purchased by the Government for a particular purpose, and not now required, but which had not been paid for—but the Bill was not passed. In the Province of Auckland there were not many Corporations, but in the Province of Otago there were a large number—some thirty or forty. Were they going to give to each of those Corporations 2,000 acres of land as an endowment? If so, he did not see how they could resist applications for similar endowments to other Corporations elsewhere. If this thing was going to be done, let all the Corporations start fair and be dealt with alike. He warned the House that there was very great difficulty about the matter, and he thought it should be fairly and fully considered before any of those endowments were granted. He thought the amendment of the honorable member for Onehunga was perfectly fair, as it would allow the matter to stand over until next session. No injustice could possibly be done to those who had already made applications for endowments in stating that their applications are to stand over as they are subject to the revision of this House. They would be subject afterwards also to the option of the Governor whether the endowments should be granted or not. All that they now should do was to express the opinion that the matter should stand over until the next session of the Assembly. The motion of the honorable member for Bruce involved a most important consideration. It involved the dealing with a very large quantity of land, and if they had not a certain principle to go upon in granting that land to those different Corporations the result would be that they would find themselves in very considerable difficulty. Nothing would be lost by allowing the matter to stand over, and no injustice could possibly be done, because they could not demand the land as a matter of right. It was left to the option of the House to express an opinion, and to the option of the Governor to give the land afterwards. They said to the Governor, "Do not grant this land until the next session of the Assembly, when the whole matter shall be fairly considered." The House might either come to the conclusion that it was desirable to grant none of these endowments, or, if they agreed that they should be granted, the grants should be made without any favour to one body or another. No doubt it was very desirable that the House should come to some definite conclusion with regard to the question of endowments to municipalities. The matter was connected with the question of subsidies—whether they should continue the subsidies and endowments, whether they should give both or either. That was a matter of consideration for the House, and he thought it should not commit itself hurriedly to a decision without giving the subject further consideration. If that

*Mr. Whitaker*

course were not taken, and if those endowments were made, the House would be absolutely committing itself to a course of conduct which he was satisfied would probably be found to be most inconvenient. If the original resolution were adopted, he hoped the amendment of the honorable member for Onehunga would be attached to it, in order that the matter might stand over for consideration next session.

Mr. O'RORKE might state that he did not even get the two roods for Onehunga. The only concession he got was that there might be a road made through the allotment.

Sir G. GREY wished to thank the honorable member for Bruce for having brought this subject forward. He thought the examples given them by other countries in the direction of making endowments of this kind justified the Government in saying that they would bestow the most careful consideration on the subject during the recess; and that they would endeavour to devise a measure by which effect might be given to some part of the recommendations which the honorable member for Bruce had brought forward. The Government would avail themselves of any information on the subject which the honorable member would place at their disposal, and would do their utmost to introduce a measure which he thought might be of a very beneficial character indeed. What the Government felt on the subject generally was, that they should endeavour to make the institutions now in existence as far as possible successful, and enable them to work well for the happiness and welfare of the community. He thought the plan proposed was one admirable means by which they might endeavour to bring that about. He could promise that the Government would do their utmost to introduce a measure next session bearing upon this subject, and, to such extent as could be done, give effect to the recommendations embodied in the resolution.

Mr. MOORHOUSE thought that an injustice might be done to certain portions of the colony by the adoption of a cast-iron rule. If the resolution of the honorable member for Bruce were carried it would work extremely unevenly, and in some cases unjustly. The borough which he (Mr. Moorhouse) represented had sustained a great injustice at the hands of the Provincial Council of Canterbury a very great many years ago. The early settlers of Canterbury had invested their money in the purchase of town land upon a distinct understanding, upon an agreement as solemn as could be expressed. When the City of Christchurch was first laid out, the inducement held out to the early settlers to buy sections of land was that the town should have for its endowment a grant of land more than equal the size of the city itself. That was the inducement held out by the Canterbury Association, which was supreme in those days. The land that was to be granted as an endowment was at present nearly equal in value to the original township. Mr. FitzGerald, his predecessor in the office of Superintendent, in order to relieve the Canterbury Association of the fulfilment of the promise made, propounded a scheme for selling this town land, and so re-

lieving the settlers generally of the debt. He (Mr. Moorhouse) always entertained the idea that, from whatever point they viewed that proposal, it was extremely imprudent. Proposals were made twenty years ago, in order to balance the accounts, to make endowments of country land equivalent in value to those that were taken from the city. The city had only a very minor voice in the Provincial Council, and the representatives of the outlying districts disregarded any representations made to them, and consequently an injustice was done. The obvious reason for granting the original endowment was this: that the City of Christchurch was situated in a very flat country indeed, and at a very slight elevation above the sea. It was exceedingly difficult to drain, and at the time referred to there was no water supply, except at very enormous expense, for flushing any drains constructed for the health of the city; and, in the minds of the original founders of the settlement, it was considered that an exceptional endowment should be made in order to relieve the citizens, in their early struggles, of the enormous and extraordinary expense of organizing a town in such a place. That was evidently the object in the minds of those who founded the settlement. Appeal after appeal had been made to the Provincial Legislature for compensation for the wrong that had been inflicted upon the city. He now appealed to the House for redress in this matter. There was already a reserve in aid of the revenues of the City of Christchurch to the extent of 2,000 acres; but that was a ridiculous compensation for the extent of the loss which the people of Christchurch had sustained, and for the sacrifice which they made of their estate in the interest of the colony. It was well known by those who were acquainted with that portion of the colony that any proposal to take a drain through Christchurch would involve an expense greater than would be incurred for the same purpose in any other town in New Zealand. The amount of debt which had been thrown upon the city, and the responsibility which had been contracted by the ratepayers consequent upon necessary disbursements, had no parallel in the Colony of New Zealand. He thought, therefore, that the proposal of his honorable friend the member for Onehunga was eminently unjust as regarded Christchurch, however fully that honorable gentleman's argument might be supported by the general condition of the colony. Having made reference specially to Christchurch, he contended that it would be eminently unjust to deprive the city of the possession of a paltry endowment which it had received under the law, in common with other Corporations, to compensate it for the spoliation which had been committed twenty years ago. Whatever action the House might take, he hoped it would not deprive Christchurch of the paltry assistance that would be afforded to it by this endowment, which, as he understood, although set aside, was not Crown-granted. If that endowment had been given to the city which was originally intended, it would have been worth a thousand times as much as any endowment

that had been given to almost any other city in the colony. There was now no land in the shape of an endowment in the City of Christchurch, because, by the action of the House a few days previously, the Corporation had been deprived of the use, for any material or mercantile purposes, of all the unsold lands in the city. If the Corporation had been left alone, they would have had sufficient good taste and providence to have left these things unencumbered by anything which would interfere with the health of the people of Christchurch; but the House in its wisdom had thought it right to take into its own hands the profitable use of the land, and deprive the Corporation of it. There were now no reserves in the city for the use of its inhabitants. Every reserve had gone from them for the use and in the interest of the colony. If the House believed the representations he had made of the case of Christchurch, it should be exceedingly ashamed of raising its hand to deprive the city of the very slight endowment it believed it now enjoyed under the law. The Crown grant for the 2,000 acres which had been set aside ought to issue, and until that measure of justice was conceded he would never cease to demand it. There was no parallel in the colony of endowments made by its founders so ample as those for Christchurch, and if the trust had only been carried out the income from those endowments would have been employed in relieving the necessarily heavy burdens upon the inhabitants of the town, and the pressure consequent upon the topographical condition of the city and its neighbourhood. He trusted the House would hesitate before it affirmed a resolution which would have the effect of denying to his constituents what they were eminently entitled to.

Mr. BOWEN said that the course taken by the honorable member for Onehunga appeared to him to be a very unfortunate one in dealing with a matter of this sort. These reserves had been conditionally made under the 350th clause of the Municipal Corporations Act, and in the 351st clause there was a special provision for the manner in which these temporary reserves should be dealt with by both Houses of the Legislature. It was, therefore, not fair to raise the question of whether these reserves should be confirmed or not by way of amendment, suddenly introduced, on a resolution which dealt with reserves of a totally different character from those provided for under the Municipal Corporations Act. The honorable member for Christchurch City said the reserve of 2,000 acres was quite inadequate for the City of Christchurch. In that he agreed with the honorable gentleman. That town had been deprived of its original reserves without receiving any adequate compensation. The amount reserved was small enough for smaller towns. He thought that, if the question was to be approached by the Legislature, it should be done by way of moving for a Committee, so that any one who objected to the reserves which had been temporarily made should have an opportunity of submitting and obtaining evidence on the subject, and so that the Committee might inquire into the special circumstances of the different



towns affected. He did not think it was fair to tack to such a resolution as that of the honorable member for Bruce an amendment which might be held to fulfil the conditions of clause 351 of the Municipal Corporations Act, but which, while it fulfilled those conditions in the letter, certainly would not do so in the spirit of the Act. The evident meaning of the Act was that the reserves should be made temporarily; that the House should inquire into the circumstances of each separately, and confirm them or refuse them according as it might be found most convenient in each particular case—then the Government would make such reservations as were necessary under the circumstances: whereas if this resolution were passed it would be a refusal of the reserves that had been made, without any regard being paid to the particular circumstances; and that would lead to very serious damage to different boroughs, seeing that land sales were going on throughout the country, and that the towns would not be in the same position again as they were in this year. His constituents were interested in this question, because a reserve had been made for the Town of Kaiapoi, and he claimed a right to give evidence on the subject before a Committee, before the House dealt with the question in this general and summary manner. He might say that they had no endowments of any kind in that borough, although they had a very large expenditure thrown upon them owing to having a navigable river running through the town. There was scarcely any similar case in the country, for in other places where there was a navigable river running through the town there were either harbour endowments or other endowments for the purpose of improving the river; whereas at Kaiapoi there were no means of doing so except out of rates. He hoped the honorable gentleman who moved the amendment would see that it was not the right way to raise the question, and that any objection which an honorable member might have to any reserve temporarily made would be raised and considered on its merits by both Houses.

Mr. BURNS thought the remarks of the honorable member for the Waikato were quite uncalled for. That honorable gentleman had carried the Municipal Corporations Bill through last session: why did he not find out the objections to its provisions then, instead of raising them now? Coming from a gentleman of the honorable member's well-known legal ability, of course his opinions would have very great weight with the House; and he could not help saying that the honorable gentleman might have discovered the mistake last year, and kept the House right, and should not come down now after action had been taken under the Act, and attempt, by what might be called a side-wind, to upset a portion of the law. Of course the only way to proceed under the law would be to object by resolution to endowments as laid before the House. Great stress seemed to have been laid upon these endowments not being within the boundaries of the proposed boroughs. He could give an instance of a borough that had within its boundaries an endow-

ment belonging to another borough; and, as far as he could read the Act, the borough in which it was situated could not even obtain rates from the property under the existing state of things. That seemed to be even a harder case than the proposal to give a borough Crown lands outside its own boundaries. There was no borough that he knew of that would be able to get such Crown lands now. Dunedin was certainly in a different position from many other boroughs, owing to the foresight of the original settlers of the province, who set aside endowments, and the city got possession of them through the action of the Provincial Council. He did not agree with the action of the Provincial Council; but that had nothing to do with the question—he did not wish to upset what had been done in accordance with law. Dunedin had an endowment many miles outside its own boundaries, and a very rich endowment it had become, owing to the rise in the value of property. Why should the House now, after passing the Act of last session, which allowed certain action to be taken, attempt to prevent these boroughs from getting what they were legally entitled to under the Municipal Corporations Act? Reservations had been made for other boroughs. For instance, an attempt was made to draw a comparison between other boroughs and Oamaru, which was undoubtedly very largely endowed; but the comparison did not hold good, because the endowments had been made by the Provincial Council. Therefore that did not show that any special favour had been shown to that borough, and the remarks of the honorable member for Waikato consequently did not bear upon the question. The law as it stood was perhaps a little too rigid, but, if the House wanted to approach the subject fairly, it should do so by amending the Municipal Corporations Act, and not by a side-wind. With regard to the amendment of the honorable member for Akaroa, he admitted that there was something unfair in the resolutions of the honorable member for Bruce. Why should the area of a county and the population of a borough be taken? There were no doubt counties, such as Wallace and Vincent, which were of large area but comparatively small population; but there were other counties with large populations, whose claims should be considered in this matter.

The hour of half-past five o'clock having arrived, Mr. SPEAKER left the chair.

#### HOUSE RESUMED.

Mr. SPEAKER resumed the chair at half-past seven o'clock.

#### NEW PLYMOUTH ENDOWMENT BILL.

Mr. KELLY, in moving the second reading of this Bill, said it had been introduced in consequence of a report made last session by the Public Petitions Committee recommending that certain reserves in New Plymouth should be handed over to the Town Commissioners. Although the town of New Plymouth had been largely endowed with reserves by the New Zealand Company, yet, owing to various causes, it had been deprived of the whole of those endowments.

Mr. Bowen

There were certain lands set apart as military reserves, and, as those reserves were now no longer required, the Public Petitions Committee recommended that they should be vested in the Borough Council. The Bill had been introduced to carry out the recommendations of the Committee, and with the view of doing some justice to the town.

Mr. GISBORNE wished to know whether the late Government approved of these military reserves being vested in the hands of the Corporation of New Plymouth.

Mr. KELLY said that he understood the late Government would have carried out the recommendation of the Committee, had it not been for the pressure of public business.

Mr. WHITAKER said that the late Government would not have consented to the handing over of the whole of these reserves to the Borough Council of New Plymouth.

Mr. GISBORNE said that, although, happily, New Plymouth was now exempt from Native disturbances, it might at some future time be subject to them, and these military reserves might be required for defence purposes. He thought it would be well if the Hon. the Defence Minister would take this matter into consideration. He would like to know whether the honorable gentleman consented to the alienation of the military reserves, and to the vesting of them in the Borough Council. Of course if they were vested in the Borough Council they would be leased to individuals, and might not be available for military purposes should they be unfortunately required at some future time. He wished to draw the attention of the honorable gentleman to that matter before the Bill went into Committee.

Mr. REYNOLDS said this Bill had been introduced, he understood, in consequence of a report brought up by the Public Petitions Committee last session. The Committee had gone fully into the case, and they found no objection to the reserves being utilized by handing them over to the Town Improvement Commissioners. He did not think they would ever be required for defence purposes, and they would be far better in the hands of the Corporation than if they were allowed to remain as at present. He believed the intention was that these reserves should be utilized for town improvements.

Mr. STOUT thought it would be better to set the reserves apart for recreation purposes, and not for leasing purposes. They should not allow all the reserves in the town to be built upon. He hoped the honorable gentleman who had moved the second reading of the Bill would consent to the reserves being set aside as public gardens or recreation grounds. He thought that was a proper use to which to put the reserves.

Mr. SHEEHAN understood the honorable member for Waikato to say that the late Government had not considered this matter. If they had remained in office a little longer they would no doubt have considered it favourably. For his own part, he was not disposed to agree to the granting of this land to the Borough Council; but he would consider the observations of the honorable member for Totara, and, before the

Bill finally passed, he should state the views of the Government upon it. He presumed that the honorable gentleman in charge of the Bill would not ask that it should be committed until tomorrow.

Major ATKINSON did not think that these reserves should be granted without further consideration. With regard to two of the reserves he thought the request made was reasonable and right, and the late Government would have assented to it; but he took exception to the granting of the Marsland Hill Military Reserve to the Borough Council. He thought the Government should carefully consider that matter. He believed that, should any disturbance arise, it would be very necessary to have a force stationed on Marsland Hill, and if the reserve were given away it would cause considerable inconvenience. There was no doubt that the Town of New Plymouth had been very badly used in having all its reserves taken away from it. He thought it would be very fair if the honorable gentleman in charge of the Bill would ask to have the reserves which had been taken away for education purposes given back. When the Constitution Act came into force the whole of the unsold sections of the town were made educational reserves, and it was left to the Provincial Council to apportion them out afterwards. It would be very fair indeed to give some of those reserves to the Borough Council, but he did not think the Government should part with the whole of the land situated near the harbour.

Mr. WHITAKER objected to the Marsland Hill Reserve being handed over, and would propose in Committee that it should be left out of the schedule. It was a military reserve, and those who knew New Plymouth must know that it was most important to retain it for that purpose. The country was now at peace: still, if any disturbance broke out, there was no place which was more likely to be troubled than New Plymouth; and this was a military position which ought not to be abandoned.

Mr. KELLY regretted that he had said to the House that the late Government had agreed to grant these reserves to the Borough of New Plymouth. He had had very little conversation with the late Ministers on the subject, but understood that there had been a correspondence between the Mayor and the late Government, who promised that a Bill should be brought in for the purpose of setting aside these endowments. As that was not done, he had brought in the present measure himself. With regard to the military reserve, he might say that it was only a portion of it that was required. Part of it was now in the possession of the Government, and was being used for a gaol and military post, and was still reserved for military purposes; and it was only the other part which was included in the Bill. The Borough Council were considering the question of giving a water supply to New Plymouth, and if they carried out that intention the part of the reserve included in the Bill would be required, and it would be absolutely necessary to hand it over to the borough authorities.

Bill read a second time.

On the question, That the Bill be committed presently,

Mr. REID said the honorable member for New Plymouth was labouring under a mistake if he believed that any agreement had been made with the Mayor of that town to vest the military reserve at Marsland Hill in the Corporation. The Mayor applied for all these reserves, but no promise was made to him that this particular reserve should be included, although there was a promise that a portion of it might be made available for the use of the borough, but for public purposes only. With regard to a Bill not being prepared, he might explain that at one time it was expected that the Public Reserves Bill would have enabled the Government to deal with all these reserves without the necessity for special measures. There were other cases besides this in which Bills had been held over in the expectation that that Bill would be passed in such a shape as to allow of transfers being made. As that anticipation was not realized, it was necessary to bring in special Bills.

Bill considered in Committee, reported to the House, and read a third time.

#### TIMARU HARBOUR BILL.

Mr. STAFFORD moved, That this Bill be read a second time, in order that it might be sent to the Waste Lands Committee.

Mr. DE LAUTOUR thought that some explanation should be given of the Bill. He knew it had become customary to say, "Send these Bills to the Waste Lands Committee, and then when they come back again we will discuss them;" but when they did come back honorable members were told, "You have admitted the principle in passing the second reading, and it is only waste of time to discuss the question now." He should like to know what was the duty of the Waste Lands Committee in regard to these Bills. They had seen a Bill introduced by the late Minister for Lands referred to that Committee, when the Committee thought it was their duty to consider the policy of the Bill, and to recommend this House not to pass it. He thought the duty of the Committee should be rather of a technical character, and to consider such questions as whether the land mentioned in the Bill agreed with the plans produced, and how far it was available for the intended purpose. If the Committee in this case held the opinion, which he believed was the legitimate one, that their functions were solely technical, and not political, they might report in favour of the Bill; whereas, individually, the members of the Committee might be opposed to it. The duty of the Committee ought, therefore, to be defined. He noticed that by this Bill it was proposed to make a gift to Timaru of £50,000, and that that place was further to be allowed to borrow £40,000. Now, during the recess, without vote of the House or of the Provincial Council, Timaru was given £100,000, upon the recommendation of the Superintendent. The whole history of these Timaru endowments was most interesting, and ought certainly to be explained. So far as an ordinary intelligence

could see, upon the strength of a promise made by the Provincial Council some years ago to give this place £100,000, it had obtained £200,000. There had been £100,000 spent in Lyttelton and another £100,000 given to Timaru during the recess. He did not object to the localization of the Land Fund of Canterbury, but it certainly ought to be based upon some principle. It was not right that because a distinguished gentleman represented one place great gifts should be given to that place. The honor of being represented by such a distinguished gentleman as the honorable member for Timaru should of itself be a great benefit to the constituency, without the paltry consideration of £ s. d. He did not object to the localization of the Land Fund for the purposes of such local benefit as might produce colonial benefit also; but he found that a majority of members coming from Canterbury—not so much in the House of Representatives as elsewhere—had taken a different view of the matter, and refused all localization of the Land Fund for works of great benefit in districts on the other side of the Waitaki. It was in such cases that it was necessary to lay down a principle, because otherwise honorable members would be forced into undisguised log-rolling. There was no doubt that most stringent opposition was given, not in that House, but elsewhere, to works of great local benefit for which it was proposed to set aside local endowments. It was not necessary to go further back than to the history of a single day to bear him out in that statement, and that was a condition of things which, he thought, did not tend to elevate the position of either branch of the Legislature. There was one point with regard to this Bill which struck him particularly. The House had before it the Timaru Harbour Bill, and also a much more legitimate measure, which they would consider presently. Both these Bills would no doubt be passed, and the endowments provided for in them meant the taking away of a large quantity of land in the interior. He presumed that it must be in the interior, as there was no available land near Timaru at present. What precaution would be taken, when these lands were devoted to coastal purposes, that sufficient revenue for localization in the county would be left to make arterial roads? If there was one member in the House who, more than any other, had advocated the making of those roads it was the honorable member for Timaru; and yet, if a hundred thousand acres were to be taken from the interior and devoted to coastal purposes, where were they to get a Land Fund to make roads through those lands the revenues from which had been impounded? He would like to know whether the honorable member for Gladstone was favourable to land being devoted to this work, as it was very probable that it would have to be taken from that honorable gentleman's district. He did not, of course, speak out of any hostility to these harbours—he recognized that they were of almost primary importance; but he thought that, when a distinguished member of the House brought in a Bill of this kind, honorable members might ask him to lay down a clear prin-

*Mr. Kelly*

ciple which should guide them in such cases. They had eighteen of these Bills last year. The House would not say a word, but the present Native Minister and himself protested against the eighteen as they finally left the House, and honorable members consoled themselves that another branch of the Legislature would do its duty by the lot; and so it did. But in this case they were not sending up so many Bills of this kind to another branch, and they could not expect that other branch always to do the duty of looking into these measures, which they had not the moral courage to do themselves. Still, he hoped he would not be accused of offering any opposition to this measure that was not fair. He thought that before it left the House they ought to be favoured with a clear statement as to what was intended to be done at Timaru, whether they intended to construct a harbour or not, whether the two harbours within a few miles of one another would be constructed, and what provision was to be made for opening up the country, the produce of which could be taken to those harbours by making proper roads through it, and so giving facilities for settlement.

Mr. STAFFORD said the remarks of the honorable gentleman were very interesting, and he did not object at all to the questions he had raised. He only thought it was a matter for regret that the honorable gentleman singled out this particular Bill to lay down principles and express opinions, when there had already been seven or eight Bills of exactly the same character passed through the House this session, as to which the honorable gentleman had not said a single word. They had only a few minutes ago read a third time the Kakanui Harbour Bill, which gave a further endowment to that harbour.

Mr. DE LAUTOUR might be allowed to explain that that work was already constructed, and was a debt incurred by the province.

Mr. STAFFORD said, from what might be inferred as the logical meaning of the honorable gentleman's remarks, the country was to remain exactly as it was at present, and to construct no more works—that it was to take advantage of the machinery already in existence for constructing and commencing certain works; but that it was not to take similar machinery for any more such works, though they might assist to develop the country. The honorable gentleman was in error when he said that this Bill proposed to give power to borrow £40,000, besides setting aside 25,000 acres of land. If the honorable member took the trouble to read the Bill correctly, he would see that the £40,000 was only in the nature of a temporary advance upon the security of the land until the proceeds came in, and it was limited to a sum £10,000 less than the existing rate of sale would produce. Then, again, the honorable gentleman was also under a misapprehension as to the £100,000 already voted to Timaru. He understood the honorable gentleman to say that it had been done during the recess, without the sanction of the Provincial Council. Now, it was not done during the recess, and it was not done without the sanction of the Provincial Council. The Provincial Council twice

voted that very sum; and when that sum had lapsed, when the Provincial Appropriations Extension Act expired, the General Assembly re-voted it, as a fulfilment of a vote which, certainly in two successive sessions if not in three, the Provincial Council had passed. Then, again, the honorable member mixed up this question with the Lyttelton Harbour; but there was no connection at all between the two places. He had that day been informed by the Premier that a Royal Commission had been appointed to consider the plans with reference to the works at Timaru. This Bill was simply a temporary aid which was given towards the execution of these works. As to the question which the honorable gentleman opened up of taking land which might be situated at some distance from the coast to endow harbour works, he could say this—and it appeared to him to be quite consonant with the principles he had ever held of giving most extreme facilities for intercommunication throughout the colony—that their railways and their roads would be of comparatively little use if, when they brought produce by those railways and those roads to the sea-coast, they had not some means of putting it on board ships; and he thought that every large system of railways ought to be connected with the harbour works to which those railways would run and at which would be shipped the produce conveyed by the railways. That appeared to him to be a necessary corollary to having main lines of railway. There was already before the Legislature a Bill for the extension of railways in this particular district in connection with Timaru by some similar means to those proposed in this Bill—that was to say, by setting apart the proceeds of certain blocks of land for the construction of these branch railways, which would not be nearly so efficient as they otherwise would be if there were no means of putting the produce they conveyed on board vessels.

Bill read a second time.

#### DISQUALIFICATION BILL No. 1.

On the question, That this Bill be committed presently,

Mr. GISBORNE wished to know the course the Government were going to take with reference to this subject of disqualification. There was a Government Bill on disqualification before them, and also a Disqualification Bill introduced by a private member. Under which Bill were they to be disqualified in the future? He found that the Government Bill did not carry out the complete recommendation of the Committee, and only consisted of one clause. He wished to know whether the Government intended to press their Bill, or to adopt the Bill which was now before the House.

Mr. SHEEHAN said he was about to make a statement on the Bill when the honorable gentleman rose. The Disqualification Bill introduced by the Government was a purely technical Bill to remedy a defect in the existing law; but the measure before the House proposed a radical alteration in the existing law. It proposed, in effect, to abolish the disqualification law at pre-

sent in force, and to disqualify only three classes of persons. He might say for himself that he was not prepared to accept this alteration. They could not go too far in securing absolute purity and independence on the part of members of that House. One of the most important provisions in the law which was now proposed to be repealed was that which prevented a member of the House from accepting office, emolument, or employment under the Government for a certain time after ceasing to be a member. They would remember perfectly well how, some years ago, there used to be vacancies in the House caused by members accepting Government offices at large salaries. It was to meet cases of that kind that the existing law was brought into force; and he thought the honorable member for New Plymouth ought to pause before seeking to abolish that law, and to leave it open to any Government in power either willingly to do these things or to be compelled to do them for the purpose of keeping in office. He believed that if they spoke out plainly in this matter it would be found that his honorable friends who had recently occupied the Ministerial benches must have felt in years gone by the importance and salutary effect of that provision, and that they would have been "cornered" by their supporters in the House had it not been for the fact that the law stood between them, and prevented their being able to strike a bargain that otherwise might have led to the resignation of a member and his appointment to a Government office. The time might again come when it would be important for a Government that it should not be open to this pressure. For his part, he thought that that part of the law which told a person who sought to come into the House, plainly and distinctly, "If you become a member of the Assembly of the colony, you must forfeit all chance of getting employment in a Government position for at least twelve months after you cease to be a member," was a fair and reasonable provision. Members came into Parliament cognizant of that fact, and knew that it was one of the conditions that attached to membership. The House ought to pause and consider very carefully before it decided to give up that position, and to fall back upon the old state of the law. There could be no doubt, of course, that, so far as the Bill before the House went, it was a very excellent measure, and contained desirable provisions regarding contractors and other classes of persons, which provisions, however, were in the existing law. He contended that the law they had at present was very much better than the one proposed in this Bill. The time would come when they would be able absolutely to effect this: that no person should be in that House, except as a Minister of the Crown, who should be concerned to the extent of twenty shillings in the revenue of the country. When they had people sitting in this House and in the other Chamber who had no personal interest to serve, and who were barred by a period of time like twelve months before which they could gratify their personal interest, then he thought they could look forward to the time when they would not be charg-

*Mr. Sheehan*

ing each other, as had been the case for the last few years, with log-rolling, and with getting through Bills by means not creditable to the House. For these reasons he might say at once that the Government could not see their way to support the Bill of the honorable gentleman. He had heard, both in the House and outside, that this proposition had met with a very great amount of favour. He was sorry for that. He asked the House now, having settled this law, having laid down for itself a course of practice which was a creditable one for the House, not, because of what might have happened this session or last session, or because there might have been questions of disqualification raised in the course of the last three or four months, to fly from one extreme to the other—to fly from a law which they now had, and which, to his mind, went in a proper direction, and to go back to a system which would lead the way to corruption and to the exercise of improper influence on the part of private members. He hoped the honorable gentleman would not press the Bill to a division, but, if he did, the Government would vote against him. Of course, it was a question for the House—it was not so much a Government question as a House question. It was a question how far honorable members were prepared to submit to certain conditions and limitations for the protection not only of their own independence and purity, but that of their fellow-members. If honorable members chose to depart from a principle of that kind, the fault and burden must lie on themselves; and, so far as the Government were concerned as a Government, they were prepared to abide by the existing law, and if they made a move it would be in the direction of making that law stricter and more complete in its application than it was at present.

Mr. MURRAY-AYNSLEY said that when the Bill was formerly before the House it was read a second time without discussion simply because the House desired to continue the want-of-confidence debate. The honorable member for New Plymouth should, therefore, in moving the motion for the committal of the Bill, have given some reason for desiring to change the system adopted last year. He would like to see the Bill of last year amended, so that it would disqualify those who were intended to be disqualified, and not those who were not intended to be disqualified. If they passed this Bill as it stood it would allow all the members of the House to accept office tomorrow if they chose to resign their seats. The Bill of last year was passed specially to prevent that being done, and he hoped the House would not alter its opinion now, unless some strong reasons for the change were advanced.

Mr. MONTGOMERY said that the Government proposed to bring down a Bill which would operate in the direction pointed out by the Disqualification Committee, and if any further alteration in the existing law were required the whole subject could be discussed when the Government Bill came down. This Bill overturned the law completely. It excluded the large contractor, but it let in the smaller ones. He hoped the Bill would not go into Committee. It would be better

to wait until the Government Bill was before the House, and then they could decide what alterations should be made.

Mr. REID said the question was undoubtedly a difficult one to deal with. He was sorry to hear such statements as had been given expression to as to the tone of morality in the House, as they indicated a state of things which, in the opinion of the honorable members who made those statements, they might expect to exist in the future. He was sorry to hear it said that such a Bill as the one now in force was a natural necessity to protect the Government from the demands of those members who expected to receive some consideration for their votes. He had been a member of the House for some years, and this was the first time that he had heard such a statement. If it was correct, it could not be made one moment too soon, but he was not aware that there ever had been many members of that class in the House. He remembered that it was proposed to constitute a Board of Works as part of the Public Works scheme—a provision which would have permitted members of the Assembly to accept positions on that Board of Works in their respective districts. That was a provision which he had strongly objected to. That provision, however, was struck out. The honorable gentleman who introduced it was very clever and astute, and he quietly shelved the proposal by saying that the Opposition had made such a virulent attack upon the scheme that he was compelled to abandon it. There was one great difficulty in connection with the disqualification question; and to exemplify that statement he need only refer to a case that had occurred within the past few days. There was a member of the House who was engaged in the coal trade, and an agent who acted for him in an adjoining province received a telegram from an employé of the Government asking at what price he was prepared to supply coal. The agent replied that he was prepared to supply it at a given price, and his offer was accepted. There was a contract made. The principal, who held a seat in this House, was not aware that such an arrangement had been made; but under the existing law he was liable to be disqualified, and might, for every day he sat after the contract was made, although in entire ignorance of its existence, be subjected to the penalties of the Disqualification Act. Was that a satisfactory condition of affairs? He contended that there should be some provision made whereby such contracts should not be held to disqualify a member; otherwise he failed to see where they were to get men to accept seats in that House. If the present law remained in force, members would have to be selected from among persons who were not engaged in any business in the country. Take the case of the Colonial Treasurer. He believed that that honorable gentleman was still doubtful as to whether he was not disqualified; and would any one say there was any corrupt motive in his case? If the law was so stringent as to disqualify members who entered into such contracts, the effect would be to prevent any man going into the House who was engaged in any extensive

business. That was an unsatisfactory state of things. On the previous evening objection was made to the pastoral tenants, and, if they were to object to them and to merchants and other persons engaged in the various branches of business, it would not tend to improve the standing of the members who would be returned to the Legislature. The Provincial Councils had been able to carry on without such stringent disqualification laws, and he could not see that there was any great distinction between the composition of the General Legislature and the composition of the Provincial Councils. In the Provincial Council of Otago they had no Disqualification Act at all.

Mr. MONTGOMERY.—What about the Road Boards?

Mr. REID said it did not follow that, because there was a Disqualification Act in the case of members of Road Boards, they should immediately adopt a similar principle here. It appeared to him that the House itself and the electors were quite competent to purify the Legislature. He had never heard of improper attempts being made to secure the vote of members of the Provincial Councils, and, if that were so in respect of a body constituted in that way, why should it not also apply to the General Legislature? From what he had seen, it seemed very probable that a great deal of time would be wasted in future in the discussion of this disqualification question. As it was said of the House of Commons during a certain period of the reign of George III., that the most animated discussions in those days were those relating to enclosures and Highway Bills, so it might truly be said of this House that the most important discussions that had taken place during the present session were those which related to questions of disqualification, questions of privilege, and points of order. These were the subjects which excited the greatest enthusiasm in debate, and if they were to continue it would be a good thing for the country and for Parliament that there should be no Disqualification Act at all. They would then be freed from those acrimonious discussions which had taken place on those subjects. If honorable members saw their way to pass a measure which would secure the purity of Parliament and prevent undue waste of time in dealing with the subject, he would not object; but an Act such as that referred to by the honorable member for Lyttelton, which would prevent any person having contracts under Government from holding seats, would very materially limit the choice of persons to be elected to the House, because men who were actively engaged in business throughout the country would not run the risk of being entrapped into contracts, and would abstain from taking seats in Parliament. The honorable member for Akaroa said "Hear, hear." The honorable gentleman had to undergo the ordeal of an inquiry before the Disqualification Committee, and he was sure he would not say that there was any connivance with the Government on his part. He was confident the honorable gentleman would admit he had not received anything in the shape of remuneration.

neration for his vote in the House; and his case ought to be an example. If the provisions of the Disqualification Act were to be so stringent, business men would have either to abandon their business or to relinquish all idea of holding seats in the House. For his own part, he thought the business men of the country were the men who should be in the House. He would not vote for or against the Bill, but would leave the question to be decided by those who thought it possible to frame a measure which would secure the purity of Parliament without doing injustice in individual cases.

Mr. MANDERS would not trouble the House at any length, as he was too unwell to do so. He would say that he quite agreed with the remarks of the honorable member for the Taieri as to the result that would follow upon a strict interpretation of the Disqualification Act. He (Mr. Manders) had for years been connected with bankrupt estates in the district he came from. He had been, however, obliged to give up that branch of his business, as he would, if acting as trustee, be receiving fees—not indeed from the Governor, but from the estate. The fees, however, were sanctioned by the Debtors Act; and if he so acted as Accountant in Bankruptcy he became disqualified to hold a seat in this Chamber, though those fees could not influence his political opinions. The same disability operated in the case of those who held the position of Returning Officer or Deputy-Returning Officer, if any money consideration were involved. These were cases of hardships that the Disqualification Act entailed. He could not vote for the Bill of the honorable member for New Plymouth. The law had better remain as it was for another year. It was very desirable that the whole subject should be dealt with next session, in order to arrive at a result which would place the question in a more satisfactory position.

Mr. MURRAY said the honorable member for the Taieri seemed to have a great aversion to any Disqualification Act being passed. The honorable gentleman seemed to think the members of that House were so exceptional in their purity that they were altogether beyond contagion. The Disqualification Act was not passed to punish the just. Its object was to punish those who were guilty of improper actions. Whatever honorable members might say, there were members who had retired from that House not altogether without a just imputation being cast upon their motives. He could point to a dozen members, some quite as honorable as the gentlemen who sat on the Opposition benches, who had retired from high positions in the House and accepted lucrative positions in the Civil Service. There were members in the House now who had done that; and, if this session had been so much taken up with questions of privilege and disqualification, there was all the more necessity why the law should be made clear on the subject. If they were afraid that their servants would put them in the position of breaking the law, all they had to do was to put up a notice in their offices to the effect that if they entered into any contracts without the knowledge of their employers they

would be dismissed from their employment, as was done by his honorable friend beside him, the member for Akaroa, who, in 1875, was brought under the provisions of the Disqualification Act through the action of his servants; but that was not likely to occur again. The honorable member for the Taieri had said that no question of disqualification had ever arisen in the Provincial Council of Otago. Well, before Southland was reunited to the Province of Otago there were forty members of that Council. Perhaps the honorable gentleman had, in his earlier years, read a story in which forty persons played a prominent part. He held that, so long as they had Parliaments of five years' duration, it was absolutely necessary that members should not be beyond the reach of their constituents. He trusted that the honorable member for New Plymouth would not press this Bill on, because he felt sure that it would not remedy the evil, but would rather increase it. He thought that the slight addition to the existing Act proposed by the Government would meet all the difficulties of the case. They should not encumber the Statute Book with any unnecessary Acts. He hoped that the Bill of the honorable member for New Plymouth would not be passed.

Mr. KELLY said that he wished to make a few remarks in addition to those he had made when moving the second reading of the Bill. The intention of the Bill was not wholly to purify Parliament, because no Bill could do that; only a wholesome public opinion would have any effect in that direction. It was evident that the present Disqualification Act was not a satisfactory measure. First of all, it was unsatisfactory on account of the provision it made that no person who received any money directly or indirectly from the Crown could hold a seat in the General Assembly, the principle being carried too far. He quite agreed that no officer of the Crown who was paid an annual salary or who was paid out of money appropriated by Parliament should hold a seat. The Bill now before the House dealt with the matter in a very simple way. It said that—

"No person, except as hereinafter specially provided, accepting or holding any office under or from or at the appointment or nomination of the Crown, or Governor of New Zealand by virtue of his office, to which any annual salary is attached, and paid out of money appropriated by Parliament for such salary, shall be capable of being summoned to or of holding a seat in the Legislative Council, or of being elected to serve as a member of the House of Representatives, or of sitting or voting as a member either of the said Council or the said House during the time he holds such office."

The next question that arose was whether a contractor should hold a seat in the House. He did not think that any honorable member would hold that the present law regarding contractors was a satisfactory one. In fact, if the spirit of the present law was carried out several gentlemen who now held seats in the House would be disqualified. The Act at present in force provided that any person who entered into a contract

Mr. Reid

with the Government was disqualified; but it was necessary to define contracts. It might happen that merchants and traders who were members might sell small quantities of goods to the Government, and thus be brought under the provisions of the Act unknowingly. He thought it would be admitted that this was not a satisfactory state of things. Then came the point raised by the Hon. the Native Minister—namely, that persons could not accept office under the Government until they had ceased to be members of the House for twelve months. The present Bill did not propose to deal with that question. The Act now in force allowed all the members of the Executive Government, the Speakers of both Houses of Parliament, the Chairmen of Committees, and the Superintendents of provinces to take office under the Crown without being subject to any penalty, and thus there were about thirty persons who held seats in Parliament who were exempt from the provisions of the present Act as regards accepting appointments within twelve months from the time they ceased to be members. He would not take up the time of the House any longer, and, as he did not intend to abandon the Bill, he was prepared to take a division on it immediately. He moved, That the Bill be ordered to be committed presently.

Question put, "That the Disqualification Bill be ordered to be committed presently;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	10
Noes	...	...	...	...	33
Majority against	...	...	...	...	23

## AYES.

Mr. Barff,	Mr. Swanson,
Mr. Bunny,	Mr. Woolcock.
Mr. De Lautour,	
Mr. Hamlin,	<i>Tellers.</i>
Mr. Lumsden,	Mr. Kelly,
Mr. Pyke,	Mr. Reynolds.

## NOES.

Major Atkinson,	Mr. Ormond,
Mr. Baigent,	Mr. O'Rorke,
Mr. Beetham,	Mr. Richardson,
Mr. Bowen,	Captain Russell,
Mr. Burns,	Mr. Seaton,
Mr. Dignan,	Mr. Sharp,
Mr. Fisher,	Mr. Sheehan,
Mr. Gisborne,	Mr. Stevens,
Mr. Harper,	Mr. Teschemaker,
Mr. Hunter,	Mr. Thomson,
Mr. Joyce,	Mr. Tole,
Mr. Larnach,	Mr. Wason,
Mr. Lusk,	Mr. Whitaker,
Mr. McLean,	Mr. W. Wood.
Mr. Moorhouse,	<i>Tellers.</i>
Mr. Murray,	Mr. Montgomery,
Mr. Murray-Aynsley,	Mr. Rolleston.

## PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. J. C. Brown,	Mr. Stout,
Sir R. Douglas.	Mr. Johnston.

The motion was consequently negatived.

## SOUTH DUNEDIN RESERVES BILL.

Mr. SEATON, in moving the second reading of this Bill, said the land referred to in the schedule was given as an endowment to the South Dunedin Municipality by the late Superintendent of Otago. It was almost a necessity to the existence of the people who lived in that municipality, and the House would thoroughly understand the position in which the residents were placed if he gave a short sketch of the physical features of the locality. There were three municipalities, whose area extended over about three miles by three miles, and this spot was bounded by a range from which immense quantities of water came down after a short rain, covering the land with water, and occasionally doing much damage. The Municipality of South Dunedin wished to utilize this reserve for the purpose of constructing works by which the water should be carried off. There was only a fall of some fifteen or sixteen inches in the three miles, so that the water remained on the ground for a considerable length of time. It was proposed to make a reservoir of this ten acres of land, and to construct works by which the water gathered in this lake would be carried off and the country left free from the flood-waters which at present flowed over it. It was proposed, among other things, to erect a steam-engine or windmill, by means of which the water could be pumped off; but, at any rate, this land was to be the receptacle into which the flood-water would flow. Some few years ago this land was an impassable swamp, and not even a dog could cross it without being bogged. Now there were a number of large buildings erected over the place in concrete and timber, but sometimes, when a flood came on, the place had the appearance of a large sea. Unless some such scheme as he had referred to were carried out, it would be utterly impossible for people to live on that flat. The Municipality should be enabled to make some provision for the sewage and drainage of the flat, and that was the sole object of the Bill. At the beginning of the session he put a question to the Attorney-General, and was assured by him that no Crown grant for the land had been issued. There were two Public Health Bills before the House this session, but neither of them was of half the importance that the measure the second reading of which he now moved was to the inhabitants of that locality.

Mr. McLEAN did not rise for the purpose of disputing anything the honorable gentleman had stated. He simply wished to point out that the Bill would not answer the purpose intended by the honorable gentleman. The preamble would require to be altered, so as to recite the withdrawal of the Crown grant from the Harbour Board, and then a clause would have to be inserted in the Bill, transferring the land from the Harbour Board to the Municipality. He did not think the House would consent to withdraw from any public body land which had already been granted to it. This land had been granted to the Harbour Board as an endowment. The Superintendent had made a promise to grant the land through a misunderstanding. He (Mr. McLean) believed the Crown grant had been



issued to the Harbour Board, and he was sure the House would not be a party to repealing a Crown grant without giving notice to the parties interested. He would therefore move, That the Bill be read a second time that day six months.

Mr. MACANDREW said the honorable member for Waikouaiti had stated that the ten acres of land on this flat had been granted to the Municipality by the late Superintendent of Otago through a misunderstanding. There was no misunderstanding whatever in the matter. At the time the Superintendent of Otago reserved this land from sale it was Crown land.

Mr. McLEAN did not say that the Superintendent had ever granted the land. He only made a promise, but the land had never been granted at all.

Mr. MACANDREW said the Superintendent had no power to grant the land absolutely, but he had power legally to reserve it from sale, with the view of its being dealt with by the Provincial Council at its next sitting. It happened, however, that the Provincial Council did not meet after the land was reserved, and the transaction was never legally completed. The Superintendent, with the advice and consent of the Executive Council, reserved it from sale in the usual way for the purpose of granting it as an endowment to this Municipality. He could not understand how the land came to be granted by this House to the Harbour Board. Certainly the Municipality had a prior right to it. Had the Provincial Council been in session there was not the slightest doubt there would have been an Ordinance passed confirming the reservation of the land as an endowment to the Municipality of South Dunedin. The Harbour Board had no right or title whatever to the land. Prior to 1876 the land was reserved by the Superintendent, with the advice and consent of his Executive Council. It was then Crown land. There was an officer in Wellington now who could give evidence on the subject—Mr. McKerrow, the Assistant Surveyor-General. He recollected referring the matter to that gentleman, and receiving from him a description of the land. If the House had granted the land to the Harbour Board it had done so unjustly, and the sooner it retraced its step the better. This piece of land was absolutely required, as stated by the honorable member for Caversham, for sanitary purposes. If the land had already been granted to the Harbour Board, the preamble of the Bill would have to be altered. He was not, however, aware that it had been Crown-granted, but he was certain of this: that at the time the reserve was made by the Superintendent it was Crown land.

Mr. REID said there seemed to be some misconception with regard to this matter. He had no recollection of this land having been reserved. He knew that the Waste Lands Board refused to deal with it at all, on the ground that it was not Crown land, but that it was part of the land below high-water mark. The Hon. the Minister for Lands would recollect that the Provincial Executive were anxious to have this land classed as Crown land, and that a very accurate survey of the land was made with the view of getting

*Mr. McLean*

it placed under that category. He believed the Chief Commissioner of the Waste Lands Board refused to recognize it as Crown land. He looked upon it purely as part of the land below high-water mark, which could only be dealt with by the Crown. That was the reason why the recommendation of the Superintendent had not been dealt with by the Board. Of course they could only speak of these matters as the recognized bodies which dealt with them treated them. In the meantime the land had been granted to the Harbour Board. It had never been granted to the Municipality. No matter what the description of the land given in the schedule was, he was satisfied that the land had been granted to the Harbour Board. Although the Crown grant might not have been issued, the land had been practically granted. Any person entitled to a grant looked upon it as being as good as if it were issued, and if this grant had not been issued the non-issue was certainly through delay in the office. The land should be treated as if the Crown grant had been issued. He could not say whether this land was required by the Municipality for the purpose stated. He had never heard that that was the object. He understood that it was for the purpose of creating a revenue from it. From what he knew of the subject, he understood that the main object was to obtain revenue from it, and to prevent the Harbour Board having any land between them and the harbour. They thought that it might be valuable for shipping and for wharves, and that it might become a very valuable estate to them. But even if the land were required for the purpose stated, in order to make a reservoir to collect the water, certainly ten acres would be quite unnecessary. One acre would make a very large reservoir, the water from which could be pumped out by an engine or windmill. He thought the House would act wisely in not passing the Bill.

Mr. BURNS said the House would perhaps bear with him a few minutes while he gave a history of this matter, which he was in a better position to do than any other honorable member in the House. Many years ago, before there was a single house on the flat, nay, before the flat was all sold, a number of gentlemen among whom he was met one day at the Gasworks to consider what should be done with regard to the drainage of this land. At that time the land was in the hands of not more than half a dozen men, and he, although not personally interested, was acting for others with regard to it. They agreed at that meeting to get the late Mr. Balfour to prepare plans and estimates for certain works on this flat. Mr. Balfour did so, and the plans cost some £60 or £70, of which he (Mr. Burns) had to pay £25, for which he had not up to the present time received one shilling. The plan proposed was that this very piece of land now being considered by the House should be taken as a reservoir, and that it should extend down to below low-water mark, being of a triangular shape, and meeting the water at what was then known as Goat Hill. It was proposed that a bank should be thrown across, that a pipe

should be laid down as low as possible below low-water mark, and that the land enclosed by the bank should be used as a reservoir. The plans were prepared, and left in the hands of Mr. E. B. Cargill, who was to see the then Superintendent, the same gentleman who was lately Superintendent, and who, he believed, agreed that the land should be reserved for the purpose. He (Mr. Burns) went away, and the property passed from his control, and he did not trouble himself any more about it. About a year and a half ago, inquiries were made about the matter, and he believed the plans were now in possession of one of the Corporations. It would be found that the Otago Harbour Board had got this piece of land in error. It was possible that they might have a grant for it, and he was bound to believe the honorable member for the Taieri when he said that this piece was in the grant; but, if so, it was put there in error, and the House would do no injury whatever to the Harbour Board by correcting the grant, as there was power to do under the Crown Grants Act. If any one had a title to that piece of land, it was the original proprietors of the flat, which was now vested in the South Dunedin Corporation. Whether the House passed the Bill or not, it would be doing no injury to the Otago Harbour Board by taking this ground, for the Board should never have had it. Looking at this as a purely sanitary matter, the House would do well to consider whether it should not take the land from the Harbour Board. If that were not done, he saw great difficulties looming in the way of the Corporations getting its land drained. It was all very well to talk about high-water mark. He had known high-water mark to exist very nearly up to the Forbury Hills, so that it was folly to say where high-water mark was; and, if the Board claimed the land up to that mark, they might just as well say they claimed the whole flat. The House would be doing a great injury by throwing the Bill out. He would have liked to say a great deal more upon the subject, but he was really not in a state of health to do so.

Mr. REYNOLDS might say that the whole of South Dunedin was built on private property, and when he was in the Provincial Government the application referred to by the honorable member for Roslyn was refused, and it was then found that the Provincial Government had no power of dealing with it. Since 1866, however, the land comprising South Dunedin had been disposed of in small allotments, and a township created. But that was not the question. The question was, that in 1875 the Assembly passed the Otago Harbour Board Empowering Act, and there were then deposited in the Public Works Office certain plans which showed that this land was granted to the Harbour Board. He believed the Crown grant had been issued, and imagined that the honorable gentleman who introduced the Bill was aware that such was the case, and had received letters from South Dunedin saying that he was too late with his Bill.

Mr. SEATON.—The honorable member is entirely wrong. I have received no such letters.

Mr. REYNOLDS was under the impression

that the honorable member had received a letter from South Dunedin or St. Kilda saying that he was too late with his Bill, seeing that this land was already the property of the Harbour Board. If, however, the honorable gentleman said he had not received such letters, he must take his word for it. The position was simply this: that, even if the land were not Crown-granted, still, by the Act of 1875, it was the property of the Otago Harbour Board, and to take it away from that body now would only be on a par with the action of the House in taking the wharves and quays reserves from the City of Dunedin, and handing them over to the Harbour Board.

Mr. RICHARDSON thought it would be better to delay this Bill until the honorable member in charge of it was in a position to state authoritatively to whom the land at present belonged, or in whom it was vested. He was certain, from the description of the land in the schedule to this Bill, that it was in the plan attached to the Otago Harbour Board Empowering Act as having been given to that body. The House would, therefore, not be right in going on with the Bill until it knew exactly what it was doing in the matter.

Mr. REES did not think there was any necessity for delay if the statements made by the honorable gentleman who introduced the Bill were correct, and they had been completely corroborated by the honorable member for Roslyn and the late Superintendent of Otago. It would be wise to proceed with the matter at once, even supposing the land was granted to the Harbour Board. If the Superintendent had set aside this land for the purpose to which it was now proposed to devote it, the House should confirm that act. There was a matter paramount in interest, and that was the health of the suburb. The honorable member for the Taieri said that, as far as he knew, this land had not been granted, because it was not Crown land; but it must be to some extent Crown land, or it could not have been given to the Harbour Board. The late Superintendent of the province said he had reserved it before that time, and the honorable member for the Taieri, speaking of the operations of the Waste Lands Board, said that the reservation and the grant were about concurrent.

Mr. REYNOLDS could inform the honorable gentleman that the Bill passed the House in 1875, and that it was at the end of 1875 or beginning of 1876 that the Superintendent asked that the land should be reserved.

Mr. REES said there was evidently a misunderstanding between the honorable member for Port Chalmers and the late Superintendent. But, whichever way it went, there ought not to be any feeling in the matter, as, under any circumstances, the land was public property.

Mr. REYNOLDS.—No.

Mr. REES.—The honorable member might say "No," because he contended that it was granted to the Harbour Board. Between them it would be the property of the public, because the Board was only a number of gentlemen banded together for the public interest. No consideration entered into this matter except that of the welfare of the

people immediately concerned, and the health of the people was of far more importance than any matter connected with the Harbour Board. If it were necessary for the public health of a growing suburb of a great city, and if the statements of the honorable member for Caversham were correct, he would ask the House to agree to the proposal of that honorable gentleman. The health of the people in the large towns of the colony was not attended to as it ought to be.

Mr. MURRAY-AYNSLEY would like to ask whether this was not part of the endowments which the Harbour Board had included in the security that they had given for money raised by debentures. If that were so, they would be damaging the whole credit of New Zealand by giving endowments to bodies, and then transferring them to other bodies after money had been raised upon them.

Mr. MACANDREW, in reply to the honorable member, said the land was reserved in 1875 by the Superintendent, and was granted under the authority of an Act passed by the General Assembly in 1876, since which no debentures had been floated by the Harbour Board.

Mr. McLEAN thought the Act passed in 1876 was a general Act, and that this land was reserved under the Act of 1875.

Mr. GISBORNE had the Act of 1875 before him. He thought it a most dangerous precedent to vest land in a Board in one session and then to divest that Board suddenly of that land and transfer it to another body, regardless of any vested interests that might have accrued in the meantime. He did not know where this land was situated—whether it came under the 4th section of the Otago Harbour Board Empowering Act or not. That Act stated,—

"And whereas certain lands forming part of the foreshore of the said Port of Dunedin have been granted by the Crown to the Superintendent: . . . . It is therefore hereby enacted that all the lands so granted to the Superintendent as aforesaid upon the trust aforesaid, excepting such portions thereof as have been legally disposed of, shall be and they are hereby transferred to and vested in the said Board, to be held by the said Board on the like trusts and for the like purposes as the same are now held by the Superintendent; and the Superintendent shall, upon the request of the said Board, execute all necessary conveyances and assurances in law for conveying and assuring to the said Board the reserves hereinbefore mentioned: Provided that all reserves hereby vested in the Board shall be subject to any mortgage, lease, or other charge or incumbrance now subsisting upon the same or any part or parts thereof."

Therefore, for all the House knew, these lands might have been mortgaged for moneys borrowed by the Board, and by passing this Bill they might be lessening the security for the moneys lent, and vesting the lands in another Board for a different purpose. Of course, in the absence of information, he did not like to say positively that this was the case. But the Bill, he thought, should be postponed in order that honorable members might have more exact information on this im-

portant point. If the Bill were pressed to a division, with the information he had before him he would be obliged, on the same principle on which he had voted on the Otago Harbour Board Reserves Bill, to vote against this measure.

Mr. WHITAKER said it seemed to him to be a very dangerous thing to deal with property in the way in which it was proposed to deal with the land in this case. He quite agreed with the reasons given by the honorable member for Caversham to prove that this was a piece of land which ought to have been granted to the South Dunedin Corporation, it being required for the purpose of securing the public health, and very probably it might be a mistake, in granting this land, to give it to the Harbour Board; but, having done so, not knowing whether or not it was included in certain securities which the Harbour Board had given when raising money, and being altogether uncertain as to the position of it, it would be a very injudicious thing for the House to deal with the land in the manner proposed. He had on several occasions seen that there was a disposition to transfer property from one public body to another without the party from whom the land was to be taken being heard. The Harbour Board might be able to give sufficiently good reasons why it should continue to have this land—better reasons, perhaps, than those given by the honorable member for Caversham for taking it away; but honorable members were in the dark as to all these matters, and he thought the question should be postponed, in order that they might have clear and certain information as to what they were asked to do.

Mr. SEATON said there had been a great many objections raised to this particular piece of land being granted to the Municipality of South Dunedin, but he did not think that one of them was applicable to the case. The honorable member for the Taieri said that the land was below high-water mark. Now, any one reading the description of the land as it appeared in the schedule would find that that was not the case.

Mr. REID explained that what he had said was that there had been a dispute between the then Superintendent of the Province of Otago, who recognized this as Crown land and wished it to be treated as such, and the Chief Commissioner of the Waste Lands Board, who would not recognize it as anything but land below high-water mark. He (Mr. Reid) had not expressed his own opinion upon the matter. The land had been left out in the original survey, and considered as land that had not been set apart as Crown land, and the department refused to recognize it as other than land below high-water mark.

Mr. SEATON accepted the honorable gentleman's explanation, but at the same time that did not touch the matter in dispute at all. Honorable members who were in the last Parliament at the time this particular endowment was given would agree that it was understood to be entirely below high-water mark, and that the Board was to be allowed to deepen the harbour and to deposit the material taken from the bottom of the harbour on this particular piece of land, and so

Mr. Rees

reclaim it. If the land had been included in the Crown grant, it must have been in error, because, as he said before, the endowment was given to be reclaimed. If land above high-water mark had been given, it clearly must have been in error; and they had the assurance of the late Superintendent that, previous to its being Crown-granted, it was set aside for the benefit of this particular municipality. He did not know if he was properly understood, when moving the second reading, that this municipality was not more particularly affected than two other municipalities, but that it happened to be the particular outlet for the drainage. Consequently there were three municipalities interested in this particular reserve. The honorable member for Lyttelton wanted to know if debentures had been issued by the Harbour Board upon the security of this land. He thought that the honorable gentleman's own judgment should show him that no money would be lent on land that was not reclaimed—land which had no existence, and which was entirely under water. Therefore it was quite clear that no money could have been borrowed upon the security of this land. If the second reading were agreed to, he would have no objection to postpone the committal until that day week, so that honorable members might satisfy themselves as to the propriety of the Bill.

Question put, "That the word 'now' stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	26
Noes	...	...	...	...	13
Majority for	...	...	...	...	13

#### AYES.

Mr. Ballance,	Mr. Macandrew,
Mr. Barff,	Mr. Montgomery,
Mr. J. C. Brown,	Mr. O'Rorke,
Mr. Bunney,	Mr. Sheehan,
Mr. Burns,	Mr. Swanson,
Mr. De Lantour,	Mr. Thomson,
Sir R. Douglas,	Mr. Tole,
Mr. Fisher,	Mr. Whitaker,
Mr. Gisborne,	Mr. W. Wood,
Mr. Joyce,	Mr. Woolcock.
Mr. Kelly,	
Mr. Kennedy,	<i>Tellers.</i>
Mr. Lumsden,	Mr. Rees,
Mr. Lusk,	Mr. Seaton.

#### NOES.

Mr. Beetham,	Mr. Reynolds,
Mr. Gibbs,	Mr. Stafford,
Mr. Hursthouse,	Mr. Wakefield,
Mr. Johnston,	Mr. Wason.
Captain Morris,	<i>Tellers.</i>
Mr. Ormond,	Mr. McLean,
Mr. Reid,	Mr. Richardson.

Amendment negatived, and Bill read a second time.

The House adjourned at twenty minutes to one o'clock a.m.

## LEGISLATIVE COUNCIL.

Thursday, 15th November, 1877.

First Readings—Third Readings—Education Bill—District Railways Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

#### FIRST READINGS.

Kakanui Harbour Board Bill, Waikouaiti Harbour Bill, Waikouaiti Athenæum Land Bill, Balclutha Athenæum Bill, New Plymouth Reserves Bill, Taranaki County Reserves Bill, Little River Cemetery Bill.

#### THIRD READINGS.

Wyndham Show-Ground Bill, Wyndham Recreation Reserves Bill.

#### EDUCATION BILL.

##### IN COMMITTEE.

The Hon. Mr. BUCKLEY moved the insertion of the following new clause: "The Committee of any school may set apart one half school-day in every week during which any minister or ministers of religion, or person or persons appointed by them, and approved by the Local Committee, may impart religious instruction to such of the children on the books of the school as may belong to his or their religious denominations: Provided that no child or children shall be allowed to attend at such instruction except on a written request to that effect addressed to the teacher by the parents or guardians of such children."

Question put, "That the clause proposed to be inserted be so inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	12
Majority against	...	...	...	...	1

#### AYES.

Captain Baillie,	Lieut.-Colonel Kenny,
Colonel Brett,	Mr. Mantell,
Mr. Buckley,	Mr. Nurse,
Mr. Hall,	Mr. Paterson,
Mr. Holmes,	Mr. Peacock.
Mr. J. Johnston,	

#### NOES.

Mr. Chamberlin,	Mr. Miller,
Captain Fraser,	Mr. Pharazyn,
Mr. Hart,	Dr. Pollen,
Mr. G. R. Johnson,	Mr. Russell,
Mr. Lahmann,	Colonel Whitmore,
Mr. Menzies,	Mr. Williamson.

The motion was consequently negatived.

The Hon. Mr. BUCKLEY moved the insertion of the following new clause: "Whenever any twenty-five or more householders in any education district shall signify in writing to the Education Board of such district their desire to be constituted into a separate body for educational purposes, it shall be the duty of the Board to convene a meeting of such householders for the

election of a School Committee in the manner provided in Part III. of this Act, and it shall be lawful for the Board to grant the Committee so elected such aid in books, school apparatus, and money as the Board shall think expedient, or, at the option of the Committee, such aid may be granted in money only, inclusive of the value of such books and school apparatus as would otherwise be supplied by the Board: Provided always that every such Committee shall provide a school-house or schoolhouses to the satisfaction of the Board, and shall appoint and pay the teacher or teachers of such school or schools, every such teacher having first obtained a certificate of competency, as provided in section forty-four of this Act: Provided also that all books used in any such school shall be approved by the Board, and that, in every respect wherein no special exception is made in this section, every such school shall be a public school under this Act, and subject to the provisions which this Act makes for the conduct, management, and inspection of public schools, and that every such school shall be open to all children between the ages of five and fifteen years without fee or payment of any kind."

Question put, "That the clause proposed to be inserted be inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	12

Majority for	...	...	...	...	1
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#### AYES.

Colonel Brett,	Mr. G. R. Johnson,
Mr. Buckley,	Lieut.-Colonel Kenny,
Mr. Chamberlin,	Mr. Lahmann,
Captain Fraser,	Mr. Ngata,
Dr. Grace,	Mr. Peacock,
Mr. Hall,	Mr. Williamson.
Mr. Hart,	

#### NOES.

Captain Baillie,	Mr. Nuree,
Sir F. Dillon Bell,	Mr. Paterson,
Mr. Holmes,	Mr. Pharazyn,
Mr. J. Johnston,	Dr. Pollen,
Mr. Menzies,	Mr. Russell,
Mr. Miller,	Colonel Whitmore.

The motion was consequently agreed to.

Progress was reported, and leave obtained to sit again.

#### DISTRICT RAILWAYS BILL.

This Bill was considered in Committee.

Clause 20.—Evidence of the constitution of the railway district.

The Hon. Sir F. DILLON BELL moved, That the words "by the company" be omitted.

Question put, "That the words proposed to be omitted do stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	7
Noes	...	...	...	...	10

Majority against...	...	...	...	...	3
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Hon. Mr. Buckley

#### AYES.

Captain Fraser,	Mr. Russell,
Mr. Holmes,	Colonel Whitmore,
Mr. Lahmann,	Mr. Williamson.
Dr. Pollen,	

#### NOES.

Captain Baillie,	Mr. Hart,
Sir F. Dillon Bell,	Mr. Menzies,
Mr. Buckley,	Mr. Miller,
Mr. Chamberlin,	Mr. Nuree,
Mr. Hall,	Mr. Peacock.

The motion was consequently agreed to.

Progress was reported, and leave obtained to sit again.

The Council adjourned at ten minutes past twelve o'clock a.m.

## HOUSE OF REPRESENTATIVES.

Thursday, 15th November, 1877.

First Readings—Second Readings—Third Readings—Onehunga Cemetery—Disqualification Bill No. 2—Native Affairs—Land Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

#### PRAYERS.

#### FIRST READINGS.

Hutt and Waikanae Railway Bill, Foxton Harbour Bill, Waikato Hospital Reserves Exchange Bill.

#### SECOND READINGS.

Fish Protection Bill, Shipping and Seamen's Bill.

#### THIRD READINGS.

Mines Bill, Fish Protection Bill.

#### ONEHUNGA CEMETERY.

Mr. O'RORKE asked the Premier, Whether the Government have succeeded in acquiring a burying-ground sufficiently near to Onehunga to enable the Church of England Cemetery, used as a public cemetery, in the centre of the town, to be closed? He drew the attention of the late Government to this matter at the beginning of the session, and received an answer that negotiations were pending with regard to a suitable cemetery not only for Onehunga, but also for Auckland and the neighbourhood generally. He did not know whether negotiations were still pending, but he did know that this was a matter of great urgency. The cemetery at Onehunga was almost completely filled up, and great inconvenience would arise from the want of room; and besides there was the danger that might arise to the public health from intramural burying. This cemetery was in the very centre of the town.

Sir G. GREY replied that the Government were quite aware of the importance of the subject, but, unfortunately, they had not yet been able to ascertain where a suitable burial-ground could be found for Onehunga.

## DISQUALIFICATION BILL No. 2.

Sir G. GREY, in moving the second reading of this Bill, said its object was to insert in the existing Disqualification Act the words, "or of sitting or voting in the said Council or House," which were evidently omitted from the Act now in operation.

Mr. REYNOLDS was exceedingly sorry that the Government had not brought down a measure to deal with the whole question in a more satisfactory manner. The present Disqualification Act, as they had seen during the present session, was simply a trap to catch members of the House. There had been many cases where the law had been broken without the least intention to break it, and, had it not been for the fact that there was a mistake in the Act passed last year, he knew of three or four members who would have been disqualified, himself included. A short time ago he became proprietor of a newspaper—the *Otago Daily Times*—which had a contract with the Government; but he knew nothing whatever of the existence of the contract. He took over the obligations of the late company, and the result would have been that, but for the mistake in the Act, he would have come under the operation of the Disqualification Act, and, without knowing it, would have lost his seat in the House, in addition to becoming liable to a penalty of £100 a day for every day he sat in the House after becoming the purchaser of the newspaper. Then there was another case. He happened to be a part proprietor of the steamer "Easby," but the number of proprietors was not sufficient to exempt the owners from the penalties of the Disqualification Act. Had one of the Government steamers gone alongside the "Easby" and taken a load of coal, he would have been liable to any penalties which the Act imposed. Then there were other cases. For example: the honorable member for Waikato had coaches running in the Province of Otago, and under the Act as proposed to be amended he could not carry the mails unless he forfeited his seat in this House; and there was no way of getting the mails conveyed except by his coaches, so that the Government were really placed in a difficulty by the existence of such an Act as the one now on the Statute Book as proposed to be amended. No one had been more anxious than he had been to get a Disqualification Act passed, and the existing Act was passed, he believed, mainly through his agitating the matter in several sessions; but he was beginning to see that, if they were to have a Disqualification Act at all, it must be of a different character from the existing one. It would not do for a member of the House to forfeit his seat and to be liable to be sued for penalties to the extent of £100 a day unless he were knowingly a party to a contract such as was contemplated under the Act. He thought the proper course would be to leave these matters for a Judge of the Supreme Court to decide whether there was a case or not, and, if he decided that there was a case, the Speaker should be instructed to take action against the offending member. He hoped the House would not pass the Bill, because it would only make the present Act more

objectionable than it was before. He moved, That the Bill be read a second time that day six months.

Mr. WHITAKER said the effect of passing this Bill would be to disqualify several members who were not disqualified at the present time. The question was, whether or not the House should take retrospective action. If they were going to do that, it should be thoroughly understood. Honorable members would then know what they were about. When the case of Mr. Kennedy came on, the Committee who heard it recommended that a certain alteration in the law should be made. Amongst others was the alteration proposed to be made by this Bill; but there were others which he thought of as much importance, and he was sorry the Government had not seen their way to cover those cases as well as the cases which were proposed to be covered by this Bill. One great inconvenience arising from the state of the existing law was this: that the House might investigate cases, as it had done, and might come to the conclusion that a member was not disqualified, and he might continue to sit; but there was another tribunal that had power to determine the same question. The House might declare that a member was not ineligible or disqualified, but an action might still be brought in the Supreme Court to recover penalties. That was a condition of things which ought not to exist. There should be one tribunal to try such questions, and that tribunal should determine them for all purposes. The following was a portion of the report of the Disqualification Committee which was brought up when he was Chairman of the Committee and a member of the Government:—

"That the Committee believe that it was the intention of the Act to disqualify members who might become contractors with the Government in the same way as 'The Disqualification Act, 1870,' provided; and the Committee would urge, if the Legislature so intend, that the seventh section of the Act be slightly amended by the insertion of the words 'or of holding a seat or serving' immediately after the words 'elected to serve' in the seventeenth line of the seventh section."

The Bill which was now brought in provided for that—it was in conformity with the recommendations of the Committee; but when the Committee were sitting it was not suggested that the insertion of the words referred to in the way they had been inserted would have the effect of disqualifying members who were now sitting in the House. The case of the honorable member for Waikato (Mr. Bastings) had been referred to. He apprehended that, as the honorable gentleman was now holding a contract with the Government for the carriage of mails, he would be disqualified if the Bill became law. The honorable member for Grey Valley (Mr. Kennedy) would also possibly be disqualified, and there were several other members of the House who might find themselves in the same position. Therefore, when they were passing an Act relating to this subject, they should take care that it should not be retrospective in its action. He held that, except in cases

of great urgency, legislation should never be retrospective. The Committee also recommended, "That a resolution of either House, declaring a seat not to be vacant in the House passing such resolution, should bar all proceedings in the Supreme Court against the member concerned." That report having been adopted by the House, he took steps to carry out the recommendations of the Committee. He took no direct steps in the matter himself, for obvious reasons, but he gave instructions to the Solicitor-General to draw a Bill in conformity with the recommendations of the Committee. He was of opinion that the best way of testing the matter would be in the Supreme Court. The best course would be to appoint a Committee to take all the evidence necessary, and then transmit it to the Supreme Court for the decision of one or more of the Judges, and that then the penalty should be enforced or not in accordance with the decision arrived at. It would obviously be wrong that honorable members should be fined for taking their seats in the House when they were ignorant of the fact that they had been brought under the provisions of the Disqualification Act, and when the House decided that their seats were not vacated. If the question on both points were remitted to the Supreme Court all party bias would be got rid of, and a far more correct conclusion could be arrived at by the Judges than by the House. He was sorry the Government had not seen their way to deal with the question in the manner that had been suggested. He moved in the matter now because he was not satisfied with the Bill in the shape in which it had been introduced. To his mind it was unsatisfactory, because it was retrospective in its action on the one hand, and did not contain the recommendations of the Committee on the other hand.

Mr. BARFF did not intend to vote against the second reading of the Bill, but was greatly dissatisfied with the manner in which the Government proposed to deal with the question. He had hoped that they would take steps to put the Disqualification Act in a more satisfactory position than it was in now. On more than one occasion previously, he had stated that he believed the Disqualification Act was merely a man-trap, a trap to catch the unwary and the innocent, while, at the same time, those who ought to be disqualified under the law were allowed to sit as members of the House. In his opinion there were only two classes of persons to whom the Disqualification Act should apply—namely, those who were contractors with the General Government, and those who were permanent Civil servants. Apart from those classes, he thought the good sense of the House would prevent any serious trespass on the purity of Parliament. It was almost impossible for at least one-half of the members of the House to steer clear of the difficulties that beset them in connection with the present law. Only yesterday an honorable member had told him that he was very nearly disqualified through having promised to become security for a man who had a Government contract. That honorable gentleman had not the slightest idea that he would be disquali-

fied by so doing, and there could be no doubt that many honorable members would have been disqualified if the provisions of the Act had been enforced. He was satisfied that fully one-half of the members of the House were in a state of uncertainty as to whether they were disqualified or not. He objected to the Bill in its present form, because he thought it was not right to deal with one special case, as the Bill proposed to do. He would vote against the Bill altogether unless the Government saw its way to amend it considerably. He held that such a Bill as this should apply to all cases, and not only to that of one individual member. It was well known to honorable members—in fact, it was plainly stated last year—that the Disqualification Bill was introduced as a piece of personal spite against one honorable member of the House. That was a matter of gossip then, but it was a matter of conviction now to those honorable members who had taken the trouble to study the provisions of the Bill. As that Bill was in such an imperfect form, he thought it was incumbent upon the Government to endeavour to make it a workable measure, instead of allowing it to remain on the Statute Book simply as a trap for the unwary.

Mr. REES said that he had dissented from the report of the Committee when it was brought up. He thought that either the late Government or the present one ought to have endeavoured to make the Disqualification Bill a much better measure than it was, though he could not see how anybody could have hoped that the Bill would have acted beneficially if it had been passed. Several honorable members had pointed out that, supposing the Bill now before them became law, many honorable gentlemen, without knowing that they had done any wrong, would suddenly become disqualified from sitting in the House or taking part in its deliberations. It was never intended that the Disqualification Act should be applied in that way. He hoped the Government would not press the second reading of the Bill. It was the duty of the Government to bring the matter before the House after the report of the Committee had been adopted, but he hoped that at this late period of the session the House would not alter the existing law. The session had now so short a time to run that the Bill, even if passed by the House, could not receive the Royal assent in time, and therefore it would be absolutely inoperative during the present session. If the Bill were passed there would be this difficulty: that some members, after the House rose, might become disqualified under the Bill, and they might, without knowing that they were guilty of any wrong, come and sit here next session, and suddenly find themselves in the intricate meshes of the law, and suffer heavy loss. He trusted the Premier would not enforce the passing of this Bill. He might say that last year there was a long discussion on the second reading of the Disqualification Act; and, though he argued in favour of one part of the Bill, he had not then looked carefully into other parts of it, and he was astonished now, when he came to read the Act carefully through, to find that it contained such provisions as it did. He was not at all desirous

Mr. Whitaker

of seeing an apple of discord cast upon the floor of the House; and it seemed to him that, if it became law, it would be simply an apple of discord. He hoped that, as the session was now so far advanced, no change would be made in the existing law. No harm could result from leaving it over until next session, and no good could come from changing the law this session. It would be better to leave the Government to deal with the subject next session.

Sir R. DOUGLAS said it was with great regret that he noticed last night that the Disqualification Bill introduced by the honorable member for New Plymouth was thrown out. He looked upon it in this way: Every honorable member of the House was sent to the House by his constituents, who knew what he was and what he would do for them. If there were no Disqualification Act the constituencies would judge those persons who sought to represent them on their merits, but if there were a Disqualification Act they would say, "The Assembly protects us." He did not think that the Assembly should protect the constituencies from the actions of their members. If the constituencies chose to send to the House men who were capable of being bought or sold, they themselves should suffer. It was true that the whole country would suffer; and he ventured to say that when the country began to suffer in the least they would take care to send to Parliament their best men, honorable men, men they could trust, and who would vote with perfect freedom on any question that came before Parliament. He objected to the Disqualification Act altogether. He thought that only Civil servants and contractors should be excluded from the House. It was well known to members of the House and to the people outside that, if they had a Government on the Treasury benches so bad that they would choose to bribe members of the House, and if members were to be bribed, the Government could do it, and it would be in the power of no Disqualification Act to prevent it. So that the Disqualification Act was in that respect simply a farce. He could hardly characterize such a Disqualification Act in the language he should like to apply to it. There was no expression that he could use bad enough to apply to an Act brought in to save the purity of Parliament. Parliament should be pure on its own account. No Disqualification Act could make the people do right. No Act ever passed would make the people right and proper in their conduct. He thought the whole subject of the Disqualification Act should be very carefully considered. He would vote against this Amendment Bill, and if he had not paired on the previous night he would have voted against the Bill brought in by the honorable member for New Plymouth. He would ask, were members of Parliament not peculiarly fitted to fill appointments which the Government had it in its power to give? Were not members looking forward to those appointments if they served their country well; and were they not perfectly justified in so doing? In the English Parliament men were chosen on account of their long Parliamentary experience for many positions

which they held in the service of their country. He could not see that New Zealand alone should be an exception in that respect. It was true that the Government wished to be saved from having pressure brought to bear on them. If a Government were honest they would resist pressure, and there were men in the House who would resist pressure. He should vote against this Amendment Bill and against any Bill of the kind. The people must learn to protect themselves, and not ask the House to protect them against their own members.

Mr. KELLY would vote against this Bill. He did not think it was a satisfactory measure, coming from the Government, taking into consideration the report of the Disqualification Committee. He had made an attempt to improve the law upon this subject; but the House had disagreed with the provisions of his Bill, perhaps justly so, as such a Bill should be brought in by the Government in power. He thought this Bill inadequate for the purpose intended by the Committee, and utterly unworthy of any Government to bring before them. There should be a comprehensive and carefully-considered measure introduced, that would give satisfaction to all parties. He hoped the Government would withdraw the Bill. If not withdrawn, the House should have further time given to it to amend the Bill, so as to make it operate as fairly as possible.

Mr. REID had expressed his view of this matter last night on the Bill of the honorable member for New Plymouth. He thought the present Bill did not meet the requirements of the case. This Bill certainly would disqualify some members. He understood that it was their object to take out of this House all discussion as to whether members were disqualified or not, and to leave to some other tribunal the determination of this matter. Difficulties would always arise in discussing the matter of disqualification. The honorable member for Port Chalmers had said that he was very anxious to have a Disqualification Act passed; but that honorable gentleman would find that this measure, if it became law, might be very uncomfortable and unpleasant to men who were not trying to evade the Act in any way. That would be the case no matter how they framed the Act. He considered that the proper solution of the matter was that merely Civil servants and contractors should be disqualified, leaving it to the House to maintain the purity of Parliament. There was a great deal of what he might call sentimentality about this matter. On the one hand it was said that Parliament felt more secure by having a Disqualification Act passed, while on the other hand honorable members said that it made no difference, as the Government could do what they thought fit. The House should guard carefully everything done in regard to appointments or contracts, and to prevent the appointment of members of this House. The House could retaliate on any Government that made any appointment of members of the House. Not only should the Government be displaced, but the office should be declared vacant. He was quite sure that this House would always guard its own privileges. If they were to deal



with this matter at all, he would say that any Disqualification Act that went beyond excluding contractors and Civil servants would, in his opinion, defeat its own object. He expressed a similar opinion last year. He wished to draw attention to subsection 4 of the Act of last year, which, he believed, had been introduced after a great deal of delicate negotiation. That subsection excluded members of the Provincial Executives, who held office at the date of the abolition of the provinces, from the operation of the Disqualification Act. If they were to have a Disqualification Act, every member of the House should stand on the same footing. He did not see why provincial officers should be allowed to come under the exemptions of the Act. Members of the Provincial Executives might now be appointed to any office in the State without the provisions of the Disqualification Act being infringed. If they were to have a Disqualification Act at all, it should apply equally. He would vote against the second reading of this Bill, and if it should go into Committee he hoped the Government would endeavour to have the 4th subsection of the Act of last year repealed. Again, he would ask why it was that a company of seven members were to be exempt. That might be a most dangerous provision in any Disqualification Act. Let them fancy a company with ten or twelve members of the House in it: would not that be a far more formidable company to deal with than one in which there was only one member of the House? He did not apprehend the danger which some honorable members expressed. The danger was very much magnified. But, if such a danger did exist, it would occur to a greater degree in the case of companies formed in which there might be several members of the House who would be able to bring pressure to bear on one or two other members, and who might have jobs smoothed over and concessions made. He hoped the Government would consider this matter very carefully. He would like to see a Disqualification Act passed on the basis indicated by the Bill of the honorable member for New Plymouth—namely, that contractors and Civil servants only should be disqualified, and the duty left to Parliament itself of preserving its own purity. He had not the least hesitation in saying that the people of New Zealand would always see that members did nothing unbecoming the honor and dignity of Parliament.

Mr. MONTGOMERY said this Amendment Bill was specially intended to exclude contractors. The honorable member for the Taieri said he would wish to have a Bill passed through Parliament excluding contractors and Civil servants. He would like the honorable member to point out how contractors were to be excluded. Would he exclude every person who was a shareholder in an insurance company or in any joint-stock company? If they were excluded, he (Mr. Montgomery) did not see how they could have a Parliament constituted at all. In every Road Board and every Municipality there was provision made that contractors should not have seats at the Board. He did not see why members of this House should arrogate to themselves that

*Mr. Reid*

great purity, when they would not trust those who took contracts to sit as members of a Municipality. The honorable member for Marsden evidently thought that members of Municipalities or Road Boards must be a class of people that they could not possibly have in the Legislature of the country. The argument was quite inconsistent with the views the honorable member for the Taieri had often expressed. He had heard the honorable gentleman repeatedly say that he wished to have a Bill that would exclude contractors; but he never indicated how such a Bill could be framed: he never shadowed forth an idea in that direction. He (Mr. Montgomery) quite concurred that the Supreme Court was the best tribunal to decide all cases of alleged disqualification. He was sure that it was a tribunal that the country would depend more upon than the Legislature, because party feeling unquestionably entered very strongly into the matter, and influenced the opinions of honorable members no doubt unconsciously to themselves. Therefore he would like to see these questions of privilege relegated to the Supreme Court for decision; and if honorable gentlemen, instead of opposing a Disqualification Act, would endeavour to improve it, and make it one which would meet the necessities of the case, it would be much better. It was not a question of preserving the purity of Parliament so much as it was a question of preventing it from becoming impure. He thought the Bill, so far as it went, met the case of contractors, but he agreed that subsection 4 of the Act at present in operation should be struck out. The fact was, that Act had come down from the other branch of the Legislature at the close of the session, and this House accepted it in its imperfect state rather than risk losing it. He would support any member who moved that the section should be struck out. He certainly thought it was the duty of the House to see in what respect the present Disqualification Act could be improved; and he trusted that the House would not allow contractors of all kinds to sit in the Assembly, for if that were permitted great injustice would be done to the people. With respect to the other question, whether members of Parliament should be allowed to accept positions in the Civil Service as soon as the session had closed, it had been pointed out that it was not the number of offices which might be vacant, but the number of people who would be continually expecting office, that would do the mischief. He recollected that last year a Minister of the Crown related that, for an office the salary of which was £400 a year, twelve members were each expecting to be the fortunate one at the end of the session. Thus it would be seen that there was more damage from the expectations of members than from the number of offices which could be given away. Notwithstanding all that had been said by members previously, he could not forget that in former Parliaments members had not scrupled at expecting good fat billets at the end of a session. He did not say that any member of this Parliament aimed at anything of the sort, but it might be done; and it lowered the character of Parlia-

ment if the constituencies were to be led to believe that members did not seek to be returned for the purpose of legislating for the good of the country so much as for the purpose of getting billets for themselves. He trusted the Government would see its way clear to consider what improvements might be made in the Act.

Mr. KENNEDY said the Bill before the House did not in any way affect himself, at the present time at all events. It was quite true that the Committee which had been appointed to investigate the accusation against himself came to the conclusion that he was a contractor. He had no desire whatever to disagree with the report, but he should like to be allowed a few moments in which he would place before the House the real circumstances of the case. Being in Wellington during the recess, he saw an advertisement, which appeared in the papers, inviting tenders for the supply of coal to the Government buildings. He was largely connected with coal business in Greymouth. There were several other shareholders in the company to which he belonged, which was registered; but some of the shareholders had receded from the company, and that had suggested to his mind—

Mr. SPEAKER said the House was at all times willing to give a member every latitude if he wished to make a personal explanation, but he could not, at the present time, see that the honorable member was addressing himself to the Bill before the House. The Bill was of a general character, and had no particular reference to the matter alluded to by Mr. Kennedy, which had already been disposed of.

Mr. KENNEDY hoped the House would indulge him while he made a statement in this matter, because it affected him personally. He was about to say that he had sent in a tender in answer to the advertisement, but it was in the name of a friend, who had given his authority in that behalf, and who, moreover, was desirous of entering into the coal trade in one or other of the ports of New Zealand. His (Mr. Kennedy's) name did not appear in the tender at all, and he had no idea that by acting as he did he was in any way connecting himself with the Government. He proceeded to Dunedin, and a few weeks later learned that the tender was accepted. When the time came to furnish the supplies, he found that the person in whose name he had tendered was not fit to carry on the contract, and it became his duty to see that the contract was carried out. It was to that extent only that he had been connected with the contract in question, and he thought the circumstances would show that that contract had in no way influenced him in his action towards the Government in the House, or prejudiced his representation of his constituents. He was not now justifying, nor did he desire to justify, the action of any person in the House who was a contractor. He was opposed to it himself just as much as any other member of the House; but it was his extreme anxiety to see our coal introduced into more general use in New Zealand that had induced him to act as he did. The whole amount of the contract was very trifling. It was

but a matter of three or four hundred tons, and the company could sell twice that amount in Greymouth every month, if it thought fit, at a much greater advantage than that given them by the Government. He thought it would be seen, by a return which he proposed to ask for, that the Government had saved £200 or £300 by the transaction, instead of sustaining any loss. Under these circumstances he did not think it could be said that his action had been influenced in consequence of the contract. He was now, however, dis severed from the thing, and could not be considered in any respect as a contractor; and the Bill did not affect him. He apologized to the House for having troubled them, but he assured honorable members that he had had no intention whatever of infringing the law.

Sir G. GREY, in reply, said that he had understood from the remarks of several honorable members, as well as from the report of the Disqualification Committee, that an oversight had occurred last year, by which the intentions of Parliament were defeated; and that, in order that the intention of that Act might be carried out, it was absolutely necessary that the words contained in the Bill should be inserted in the 7th section of the Act. The Bill had been introduced to meet the wishes of the Committee and the opinions expressed by several honorable gentlemen, and to render operative the intentions of Parliament. He could not agree with the contention of the honorable member for Waikato, who did not think that the Bill should be introduced this session, because it was retrospective.

Mr. WHITAKER had not contended that the Bill should not have been introduced this session, but that it was improper to make it retrospective.

Sir G. GREY said the Bill could not be otherwise than retrospective, seeing that it must affect gentlemen now sitting in the Assembly; and, if it should not be introduced this session, then it ought to be postponed until the next Parliament—that was to say, that contractors now sitting in Parliament must continue to sit until the end of the Parliament, some two and a half years hence. Then the honorable member for Port Chalmers objected to the Bill having been introduced in so simple a form: he seemed to consider that it should have been a larger and more extensive Bill. But the honorable gentleman had himself answered his own argument. He admitted that he had spent several sessions in endeavouring to devise a good Act, but had failed: then, how could he expect a Government which had only been in office a month to introduce a satisfactory Bill on the subject? The sole object of the Government in introducing the Bill was to prevent contractors sitting in the House during the continuance of the present Parliament, and to give effect in that respect to the recommendations of the Committee and the intention of Parliament. Having said that, he left the matter entirely to the consideration of the House. He had no particular desire to press the Bill forward. In the course of the discussion, honorable members had referred to the present state of the law in regard to petitions relating to the return of members to Parliament—what were called election petitions.

Allusion had also been made to one or two other points, which showed that the whole system required review. He was able to inform the House that a Bill was now in course of preparation by which the whole of the electoral system of the colony would be brought into conformity with what he might call the opinions of the present day. That Bill would be introduced next session: in fact, if the present session continued for a month longer, he would introduce it before Parliament was prorogued. The object of that measure was to simplify the mode of conducting elections, and to provide that election petitions should not be tried by the House, but by an impartial tribunal; for he felt bound to admit that it was almost impossible to hope that honorable members could proceed to consider such questions with unbiassed minds. The measure would also deal with the question of the franchise, and with the subject of disqualification; and care would be taken in it to provide that whatever laws might be passed by Parliament on the subject should be interpreted by a perfectly impartial and unbiassed tribunal. If honorable members were satisfied with the knowledge that such a Bill was in preparation and would be brought forward early next session, and thought that it was difficult to deal only partially with the subject this session, he would not press for the passing of the Bill now before the House, but would take the decision on the voices. He only stated these things to show that the Government had not been idle during the time they had been in office, and also that they did not desire to press on the present measure if the House did not wish it. It would be in the recollection of honorable members that several questions were put to the Government as to whether they intended to bring forward a Disqualification Bill this session, and it was in response to those questions, and the wishes expressed by several honorable gentlemen, that the measure had been introduced. Having said so much, he would leave the matter in the hands of the House.

Mr. REES explained that he was one of the honorable members who asked the Premier to introduce this Bill. He had since asked the honorable gentleman to state that fact to the House, as he did not wish, by any apparent inconsistency on his own part or on the part of any other honorable member, that the honorable gentleman should be placed in a false position. Having been one of those who asked that the Bill should be introduced, he begged now to state that under the circumstances he did not think it would be necessary to pass it this session.

Bill read a second time.

#### NATIVE AFFAIRS.

Mr. SHEEHAN.—The Native Lands Bill, the Order of the day for the second reading of which has just been called on, is not in print. The Bill itself is one of a purely technical character, and has no relation to the statement which I am now about to address to the House. I will preface my statement by moving the postponement of that Order until next Monday, so as to enable the Bill to be placed before the House in print.

*Sir G. Grey*

In proceeding to make my statement, I have to apologize to the House for the delay which has taken place, and which has been owing to the fact that for some time past I have been suffering from a malady which has to a great extent prevented me from speaking in the House, and which makes the task at the present time more a source of pain than of pleasure. But possibly I have not suffered by the delay, because I have been enabled to make further inquiries into matters connected with my department, which will make my statement of a fuller and more exhaustive kind than it otherwise would have been. At the same time, suffering as I am, I shall be glad if the House will give me a quiet hearing, as it is impossible that I can maintain my voice at an unusual pitch for any length of time. I will first, with the indulgence of the House, dispose of a matter which is of a somewhat personal character. No person, probably, had less idea than myself, when I left this House last year, that I should come back this session to hold the office of Native Minister. Some men, Sir, are born to greatness; others have greatness thrust upon them. I presume I am in the latter category.

Hon. MEMBERS.—Some achieve greatness.

Mr. SHEEHAN.—If I have achieved it, I may say this much, that I have achieved it by an earnest desire to do my best for the good of this country. For the last three or four years the newspapers have been teeming with remarks personal to myself, and especially upon the question of my connection with Native affairs—all pointing in the direction that I should be unfit to be intrusted with the management of them, and that necessarily I must be a person from whom good government could not possibly be expected. In this House, only a few nights ago, one of the oldest members took occasion to refer to myself in terms which I shall now read. I do not intend to debate those terms, and, although I may possibly be somewhat out of order in referring to them, as they were used in a previous debate, yet I hope the House will allow me to do so, because I was at that time unable to take part in the debate myself. The honorable member for Wanganui said,—

“Then I know my constituents will be delighted to hear the utterances of the Minister for Native Affairs. They would like very much to know by what means he is going to counteract that system of repudiation which he has been inaugurating in a certain province of New Zealand for some years past, and the leading delegates of which have been, within the last few months, on a visit to the district which I represent, for the purpose of inciting our Natives there also to engage in the work of repudiation, on the ground that the lands on which we are now living, and which were purchased, at the time when the honorable member for the Thames was Governor of the colony, at the price of 10d. and 1s. an acre, are now worth £10 an acre. I am sure that my constituents would be delighted to hear the honorable gentleman declare in this House the plan by which he means to counteract the mischievous, dangerous, ruinous, and fatal influences which that

Repudiation party have been attempting to exercise within the last few months, by their leading chiefs and others, in the district which I have the honor to represent. I shall be glad to hear it myself, if I am to remain in the district and to hold my property there on this dangerous tenure which the Repudiation party is gradually spreading over the colony. I have no doubt that the Native Minister, with his great readiness at expedients, with his great ability, and with that large knowledge of the Natives which we have heard paraded by his chief, would be quite prepared to announce a policy which would relieve us from the dangerous position in which we stand. It would be satisfactory for us to know what it is."

Sir, I am about to expound that policy; but, before doing so, I trust I may be allowed to refer to this statement, inasmuch as it affects myself and my position in this House. I may say that, in the first place, the statement that emissaries of what is termed the Repudiation party have been in the honorable gentleman's district within the last few months is incorrect. To my certain knowledge no persons connected with the so-called Repudiation party have been there for the last two or three years. In the second place, I would point out that my connection with what is termed the Repudiation party is the ordinary connection which exists between a solicitor and his client. I simply undertook professional work—professional work which had been undertaken by other persons in the profession before myself, and professional work of a character which is being done now all over the North Island by members of the profession to which I belong. My own conscience is to myself the best answer as to how I have done that work. But I know this much: If I had chosen to make use of my position, I could have quadrupled, yea, could have increased my income ten or twelve times; but I have allowed public reasons to influence me too much in my connection with the work, and I have preferred to raise questions simply from a public point of view, rather than make the ordinary profit and gain which would have followed from the practice of my profession in the ordinary way. It is no crime in any one to take up the cause of the Natives, for they are British subjects, bound by our laws and compelled to obey them. Why should they be debarred from professional assistance, when the European, who knows the law and can speak the English language, can have legal assistance whenever he wants it? I feel sure that honorable gentlemen on both sides of the House will not look upon me as any the worse for having given honest, fair, and, as far as was in my power, able assistance to the Native people; and that, so long as I have not lent myself to any improper practices, or subjected myself to be struck off the rolls, they will not think the worse of me for having, as I have said, consented to become the advocate of a number of Native claims. I may say this much, and I say it advisedly: that, if it had not been for the fact that I took up these cases at the time I did, and that I stood by these people, refusing all offers of greater emolument—I say, but for that fact, you would have had in the District of Hawke's Bay

disturbances of the most serious character. But the fact of my being there to lead them to look to the proper authority for redress, to furnish them with a vent to their grievances, was the means of preserving the peace. The cardinal principle which actuated me when I went to reside at Hawke's Bay, and which actuates me at the present time, is this: that I have always refused, and do now refuse, to undertake a single case as against the Government. I have advised the completion of Government purchases, and before I came down to this House I gave days of my time for the purpose of assisting in the completion of those Government purchases. It is quite true that I advocated the interests of the Natives of Hawke's Bay; it is quite true that I brought their cases into Court; but I have done no more for the Maori people than would be done for the European people by any member of the legal profession. But, holding the position which I now hold, I have ceased to advocate their cases. I have now to decide, and, if I have proved myself a straightforward advocate, that is a very good reason why I should prove a fair and impartial judge. Now, as the House is aware, a great many accusations have been made against me, and I find in this morning's paper a summary of those accusations. I am charged with preaching the "Gospel of Repudiation," and it is said that my accession to office is likely to lead to an agitation among the Native people. As a matter of fact, I have never gone outside of the small District of Hawke's Bay to conduct a case. I have been asked to take up cases in the Wairarapa, in Wanganui, and other parts of the country; but I have refused to do so, because I would on no account lend myself to an agitation which might assume a political character. I wish now to refer specifically to one matter. I have been charged since this House met with having advised Takarangi and other Natives residing near Wanganui to come down and demand possession of land which they asserted had been improperly taken from them by the Government. There are Europeans in this city and Native members in this House who were present at the interviews I had with Takarangi, and they can testify that, after hearing his case, I distinctly told him that he had no grounds, either in law or in equity, on which to go against the Government; that his only hope was to petition the House, and that the House might possibly recommend that he should receive a small grant of land. These gentlemen can bear me out in that. And I say this, further: that, the moment I heard what had occurred at Wanganui, I warned Takarangi to desist in his action, and that, if he did not, I and the gentlemen I have referred to would cease to take any interest in his petition. That disposes of that matter. I say emphatically that every accusation that I advised, aided, or abetted Takarangi in his action is absolutely untrue. It has also been said that the stealing of certain cattle at Punui, in the Waikato, and the driving them over the frontier into the King country, is also evidence of the encouragement given to the Natives by my accession to office. It happens, unfortunately for

that statement, that no cattle were stolen at all. As a matter of fact, the lawless act complained of on the part of the King Natives was this: The cattle of a European settler strayed away in the night; they got into the King country, and were ordered to be driven back to the farm of the owner. I have received from Major Mair, Major Te Wheoro, and other Government officers, statements of the most distinct kind on that point. There has been no stealing: on the contrary, there has been additional proof of the desire of the Natives to conform to the law and to make friends of the Europeans. It has also been said that my accession to office has to some extent been the cause of the stoppage of the surveys at Taupo and other places. It is quite true that there have been stoppages of surveys, and I shall presently refer to the causes which led to those stoppages; but I will shortly state what has been the actual cause of the stoppages at the present time. It is well known that extensive purchases of Native land have been going on for two or three years past, and it is also well known that certain reserves were to be made out of those lands for the Natives. Although there were Government officers whose duty it was to make those reserves, they have not made them; and now the Native people have interfered, believing that the reserves were about to be denied them, and refuse to acknowledge the deeds of sale. So far as I can make out, those are the principal acts of lawlessness charged against myself and my colleagues. If we wished to adopt the *tu quoque* style of argument, we might point to many similar acts which have occurred during many years back—the murders of Sullivan and Todd, and the occurrence that took place a few days ago at Opunake—but they would not establish similar accusations against the late Government any more than the occurrences I have referred to establish the accusations against ourselves. But I will state presently how I can quite imagine that these things may happen, and I will show that it would be wise and prudent not to attempt to enforce the law at the risk of imperilling the peace of the country. I must say that I felt grieved at the tone of the remarks of the honorable member for Wanganui, because I have a vivid recollection of the manner in which the honorable gentleman himself formerly advocated the interests of the Native people. There was a time when there was no Repudiation party, but there were charges of gross injustice to the Native people. The honorable gentleman warmly advocated their cause, and he and his party tried to place themselves in power on the strength of their advocacy. Having used that ladder, he has thrown it down, but he ought not to charge me with anything discreditable because I honestly make use of the same means to gain position. Up to the present time I have been about the best-abused man in the country, with the exception of the Premier; but I have never replied to any attacks made on me personally. These attacks have, however, acquired a significance they did not possess before, because it is believed, rightly or wrongly, that they are inspired by gentlemen who were lately relieved from office, although they are written

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by gentlemen not members of this House. The paper in which these charges appear is the morning paper published in Wellington, and if it has a leaning it is certainly on the side of the present Opposition. Now, Sir, looking at the fact that for the last five or six years the administration of Native affairs has been in the hands of one person, and that we have only had what I may call progress reports at the various meetings of the Assembly, I may perhaps be excused if I go into matters more fully than they have been gone into for some time past. I shall go very fully into the Native question. I shall give facts and figures, and leave the House to draw its own deductions from those facts and figures. To do so may occupy some time, and it may be a little wearisome; but at the same time, having these facts and figures before them, honorable members will be better able to master the position, and will be better able to judge of our prospects than they would be without them. As honorable members are aware, we have tried various methods of treating the Native people. We have tried to be lenient and kind to them; and that policy, with the exception of the outbreak at the Bay of Islands in 1845, and the outbreak on the coasts of Cook Strait about that time, has been followed out ever since. Up to 1863 we had almost unbroken peace throughout the country. A policy prevailed which was termed the "flour-and-sugar policy," a name which was indicative of the contempt in which the policy was held by the people of the colony; but I shall show that it was a policy which, with its many drawbacks, was productive of many benefits. In 1863 we entered on our real contest and struggle with the Native people in the Waikato war. We borrowed a large sum of money for that purpose. I say, for myself, and I say it now for the great bulk of the people of the colony, that, if we could go back to that time, and reconsider our position, we should never have had a Waikato war. The £3,000,000 which was borrowed to carry on that war could have been better employed than in decimating the Native people, and it would have been possible to avoid a conflict with the Native race. From 1863 to 1869 we had nothing but a succession of chronic wars. The Waikato war was hardly over before we had a war at Wanganui, and another on the East Coast. From 1836 to 1869 there was nothing but disturbance; but from 1869 we have had peace, almost unbroken peace, a peace which has only been disturbed by some isolated act of aggression or some solitary murder in the out-districts. It should be remembered, in justice to men who bore the heat and burden of that day, that it is not to the Public Works policy that is due the peace which has followed. There is no doubt that the men who adhered to the policy pursued from 1863 to 1869, which they did in spite of the greatest reverses and in spite of public opinion, accomplished the work of breaking the power of the Native people in this Island, and that but for what they accomplished the Public Works policy could not have been carried out, nor should we have had the peace which we have since enjoyed. In saying that, I am by no means disposed to

overlook the beneficial results of the Immigration and Public Works policy upon this Island. And here I would say, sinking all party feeling, forgetting all past differences, that it would be unfair to deny that to Sir Donald McLean we are largely indebted for the fact that from 1869 up to the present time we have been at peace with the Native people. Whatever may have been our differences with him, politically or privately, there can be no doubt that to him and to his policy, and to his determination to avoid a conflict with the Native people, we are indebted for the fact that we have not been called upon to encounter the Natives and to borrow money to carry on a war. It has been said that during these five or six years the old policy has been restored, that the law has not been vindicated, and that the Natives have been allowed to do as they thought proper; but I hold that on entering upon the Immigration and Public Works policy it would have been an act of suicide to have provoked or sought for a Native disturbance. The essence of our being able to borrow money in the English market was the fact that the colony was at peace. Had disturbances occurred about that time, we might have packed up our traps and left districts, which are now flourishing and prosperous, in possession of the Natives. And when we are reminded of these things—an outrage here and a murder there—I prefer to look at the general results, rather than to say that the perpetrators of these outrages should forthwith be punished, or that reparation at all hazards should be enforced. I look at the general results, and say that the colony must progress—that it is better to allow these acts to pass for a time unpunished on account of the greater good which is being performed for the colony. Now I come to a question which has been raised on several occasions by the public Press—namely, the possibility of another Native outbreak. In the first place, I will mention to the House what is at the present time the precise number of the Native population. The last census, taken in 1874, gave us the following return: For the North Island—males, 23,649; females, 19,769: or a total of 43,418. The population of the South Island is about 3,600, making a gross total of about 46,000. We must also remember how that population is distributed. A large portion of it is to the north of Auckland, another large portion is located between Auckland and the Waikato, another large portion is situated on the East Coast, and yet another large portion is located in Hawke's Bay. I say that in all these districts the chances of a Native outbreak are absolutely infinitesimal. The Natives of those districts themselves would, whenever called upon, do as they have done before—assist us to put down any Native outbreak. If there be any part of the Native population in the North Island who we may expect would be the prime movers in a Native outbreak it is those who live in the King country. The King country contains only 5,255 persons, and of these but 2,856 are males. Of course we must not forget that when a crisis comes a number of Native women can take up arms, and use them with considerable effect; but,

looking at the fact that we have 25,000 or 30,000 loyal Natives on our side, the chances of a Native outbreak are simply nil. Now, I will point out, and I point it out with regret, that, while we are increasing in population, the Natives, from whom it is thought we are in this danger, are decreasing. There has been a system instituted by which we are enabled to ascertain the number of births and deaths which occur in the different Native districts, and I find that the births are not as large in proportion to the number of Natives as they used to be. In the District of Tauranga the numbers of the Native population are as follow:—

Population in 1874	...	...	1,245
„ in 1877	...	...	1,148

Decrease ... .. 97

This decrease is owing to the dying out of the race. Apart from the fact that the chance of a Native outbreak is something below zero, all the evidence points in the direction that we need not any further dread a Native war. We know that the Natives themselves wish to be reconciled to their European friends, and that they are desirous of becoming amenable to the law. They are settling down into steady habits, and the King Natives have invited to live amongst them a large number of the most loyal Natives in the colony—I mean the people of whom Te Wheoro is a leading chief. There is another reason why I think we may dismiss from our minds the idea that there is any possibility of a Native outbreak, and that is that the King country is split into two parts. On the one side we have the King and his party, and on the other side we have Rewi and his party; and I do not think they would unite again to wage war with the Europeans. It is just as well that we should know this, because there is nothing that could do more harm to the colony than to have the impression go abroad that there was any danger of another Native war. We must remember that our Public Works policy is unfinished, and, if that policy is to be made the success which its promoters intended it to be, it will be necessary to show to the money-lender in England that the borrowed money will not have to be spent in putting down Native outbreaks, but in carrying on the public works which have already been undertaken. I look upon the money which has already been spent in putting down Native outbreaks in the light of money thrown away. I observe, from certain statements which I have in my office, that we expended something like £3,200,000 in putting down Native disturbances, and, as I have already said, I consider that that money was simply thrown away. I feel perfectly certain that, if we continue our present policy, and if, instead of firing powder and ball at the Natives, we spend the money in opening up the country, the result will be infinitely more beneficial to the colony. A great deal of good has resulted from the spending of the money which has already been expended in the Native districts in opening up roads, &c. The amount spent in that way up to the present time is about £450,000; and, if we continue to spend money in

the same manner and on the same object, it will produce at least this good: that in the event of a war the whole country will in the course of time be traversable from end to end. I shall now refer very briefly to the question of the administration of justice in the Native districts. In those districts justice is administered by gentlemen of the European race. They act as Magistrates, and are assisted by assessors and policemen without number. I remember that when, in 1873, I was travelling overland from Napier to Auckland, I stopped for a short time in the Arawa country, and I found that nearly every male adult in the place was either an assessor, an assessor's clerk, a policeman, or a policeman's clerk; and I found that the amount spent among those people every year in salaries and allowances was nearly £9,000. Although that system is not now carried on to such a great degree, still it is going on to some extent, and I believe that some reform is needed in that direction. We have been for some time past in the habit of making some slight medical provision for the Native people, and I may say that I propose to continue to do so, and, if possible, upon a somewhat more extensive scale, until the Natives can provide for themselves in that respect. We expend money in this direction for the Europeans, and I do not see why we should not do it also for the Maoris, who are, like us, inhabitants of the colony, and contributors to the revenue. I shall not refer to this matter at any greater length, because I have subjects of greater importance yet to deal with. I will now refer to the subjects of Native schools and Native education. Everybody who knows anything of the Native character will admit that the Maoris have a wonderful aptitude for learning. In the early days, even before the establishment of the colony, the Natives were taught by the missionaries to read, write, and calculate. They learnt to do all these things in a very short space of time, and as each became proficient he went out to teach his friends. This was the case in 1840, and for some years afterwards there were more Natives in the colony who could read, write, and calculate than there were Europeans. But the defect was that they were taught to read, write, and work sums in the Native language, and consequently they were as far from having a knowledge of the English language as they were before. Sir, I am again called upon to speak in praise of the gentleman, now deceased, who for several years held the office of Native Minister. The Natives are now, and have been for some years past, taught in the English language, and it was largely owing to his exertions that that system was introduced, and the system had only been prevented from becoming a greater success by the fact that the country had not sufficient funds to expend in carrying it out. I have received from the various Native schools the results of the last examination; I have received specimens of their writing from dictation, drawing, arithmetic, needlework, &c.; and I can only say that they would be a credit to the pupils of any school in this or any of the other colonies. I hope, before the House rises, to obtain a room in these buildings in

*Mr. Sheehan*

which to exhibit them, so that honorable members may judge for themselves as to the progress that the children are making. The total amount spent on the education of the Natives during the past seven years has been only £80,000, and this year we propose to spend £11,000, or £4,000 less than last year. With that money we propose to maintain fifty village schools. I think we shall be justified in asking that this vote be increased, and I feel certain that the amount spent in educating the Natives is money well spent. I am sure that it will repay us a hundred-fold. What we want is more schools, and we want, also, the best masters we can get. The schoolmasters must be well paid. Their work is very arduous, and they have to put up with all sorts of hardships, and the man who would undertake to do the work for small pay is not the man who will be up to the standard that is required. One of the great defects, so far, has been that the masters have not been paid well enough. I think, therefore, that we ought to give them higher salaries. I will now refer to one more branch of what I may term the social question, which will occupy the attention of the Government in their dealings with the Native people, and that is, in reference to assisting to put down the spread of intemperance among them. If it be desirable to educate the Native people—if it be desirable to make an attempt to raise them to our own level, looking at the fact that they are a semi-savage race, having all the defects and desires of a semi-savage people, fond of excitement, and especially of the excitement that springs from intoxicating drink, we should endeavour, as far as we possibly can, even if we do nothing more, to aid them in the efforts which they are now making for themselves in this direction. I admit that the law on this matter as it now stands is in an unsatisfactory condition: indeed, the Sale of Spirits Ordinance has been for many years a dead-letter, and any attempt to enforce a law which has been practically in abeyance for the last twenty years would be an injustice rather than a benefit. As I mentioned on a previous occasion when the House was discussing this question, we can do this much: We can help the Native people to regulate their own settlements so as to prevent the introduction or use of ardent spirits within those settlements. I have no fear of what the effect will be. I have no fear but that the Native people will shake off the habits of intemperance in which they have indulged. I think I shall have the support of the House in the efforts I shall make to enable steps of this kind to be taken in Native districts. I am glad to be able to say that the reports from all parts of the country for the present year show a decrease in the drinking habits of the Native people. The cause of this is not difficult to see. There are two causes at work in this direction. First of all, there is the falling off to some extent of Government land purchases, consequently there is not the same amount of money to spend as formerly, and therefore there is a less quantity of liquor consumed. There is, however, a much more valuable cause at work, and one which this House will sympathize with—the movement

which is known as the Good Templar movement. That movement has taken a strong hold on the Native people, and Lodges have been formed in different parts of the country. Any person holding the office which I do should do everything in his power to assist in developing that movement and encouraging the people who are taking these steps to establish Good Templar Lodges among the Native people. Sir, I now come to a very practical question indeed—the question of our Native land purchase system. I am speaking now of our Native land purchase system such as it has been made since the introduction of the Immigration and Public Works policy. The House will remember that from 1870 up to the present time we have authorized the raising of £700,000 by way of loan for the purchase of a landed estate in the North Island. Of that amount the greater portion has been spent. It has been spent in such a way as, to my mind, to produce the least possible result with the largest amount of money. The cardinal defect in the system has been that the purchase of Native land has been conducted on commission. The persons purchasing have looked rather to the quantity than to the quality of the land bought. Their object was to try to close transactions in order to get the commission on the purchase. I can show that in many cases the transactions have not been closed at all. I would point out something that has happened in connection with these purchases which has made apparent to my mind the defect of the system of payment by commission. The Land Purchase Commissioners negotiated for the purchase of large blocks of land in every direction, and small payments were made on account. It has also happened in many cases that, instead of going to the elders of the tribes who held the land, to men of mature age and possessing greater wisdom, who could make a prudent bargain, the agents have gone to the young and improvident people of the tribes, and have induced them to accept small payments on account when large sums ought to have been obtained. Again, the money has been paid in what I may term dribblets, and in many cases payment has not been made in cash: it has been made in orders to storekeepers, and the bulk of it has been spent in absolutely unnecessary articles of luxury—the greater portion, I have good ground to fear, on grog. In addition to this defect in the system, we have had the delays in the completion of the purchase. Some of the transactions are two or three years old at the present time, and appear to be no nearer completion than at the commencement. We have an additional element of trouble and disturbance from the fact that in many of these cases no reserves were made, although promised. In some instances the land was taken in lumps, without any reserves of any kind being left, and we have now to take the power of making these reserves. Sir, all these things combined to produce a feeling among the Native people which is fatal to the successful operations of the Government in a Land Purchasing Department. I will show the House some of the results of the system, and I think honorable members will agree with

me that I have put the thing mildly—that I have not at all exaggerated the state of the case in saying that we have got the least possible result for the largest amount of money. The official return of land negotiated for is as follows: Freehold, 4,613,000 acres (I give the round numbers only); leasehold, 1,540,000 acres—making a total area of a little over six million acres. That in itself looks very promising indeed, but when we go below the surface and see the absolute result the House will find that I am justified in condemning the system as I have done. I find that of the freehold transactions only 1,967,402 acres have been completed, leaving nearly 2,700,000 still unsettled. I have been informed by the officers of the department that out of the leasehold transactions they cannot return one single acre in a state to hand over to any single European purchaser. They cannot give me an instance of a single lease of land that the Government might to-morrow cut up into allotments and dispose of to private persons. Of the £700,000 raised by loan, a sum of £531,048 has been expended, only leaving to complete two-thirds of the actual work not much more than one-fifth of the money. I have made inquiries on the question of payment of rent. We have got nothing as yet, and, until we get something, as a prudent Government we will not pay any rent at all. I may mention that in the items of expenditure there is a total of £102,000 incidental expenses. I have heard honorable gentlemen refer to that as indicating an enormous percentage on the cost of purchase, but on looking into the items it will be found that this is not so, for, out of the £102,000 payable, £17,000 has to be paid to the Province of Auckland in settlement of old land claims, £3,000 has to be paid to the Province of Hawke's Bay in settlement of similar claims, and about £36,000 has to be transferred to the Native Land Court to meet expenses in connection with the acquisition of Native land. The total expense for surveys and the acquisition of land has been £40,000 or £44,000. The defects in the leases, so far as I can make out, are of three kinds. In the first place, there are some instances in which the proper persons did not give their sanction. In the second place, there are persons, being married women whose names appear in the Crown grant, whose husbands were not consenting parties. And, in the third place, persons are named in the Crown grants as consenting parties who were under age. Those causes will also be found to be at work even in regard to the freehold land. Of the 1,967,000 odd acres of freehold land negotiated for, at least in regard to one-third of it it will be found that the titles are invalid, and it will require more money to be paid away and other acts to be done in order to make those titles good. It must be evident to the House, from what I have said, that, in order to carry out to completion all these land transactions and negotiations, it will be requisite for the House to furnish more money. We have only a balance standing at present amounting to £168,000, and therefore more money will have to be got to complete the bargains that are now outstanding. Now, I have to invite the House to the con-



clusion to which I have come upon this matter. In the first place, it is necessary, in order to save us from a great loss, that these titles should be made good, and that we should get consideration as far as possible for the money which we have paid. In some instances we shall not be able to complete the whole title to a particular block. In that case we will hand back, to the persons who will not agree to sell, so much of the land as will represent their interests. It will be necessary to take power by legislation to complete the transfer of blocks in which minors are owning parties. There are a number of blocks of land in which children under age have interests, and to enable them to dispose of their title it will be necessary to take power to allow trustees to be appointed by the Governor in Council, under whose authority the sales may take place. The Bill deals with that and other matters, and by it the Governor in Council may appoint trustees with power to sell, and give them certain control as to how the purchase-money may be invested for the benefit of the minors. It is proposed, also, to abolish the system of payment by commission, to close up at once all outstanding contracts of that nature, and to employ in the completion of purchases persons who will be really and truly Government officers, responsible to the Government for their actions. We intend to make it a cardinal principle, in regard to every one of these persons and every officer of the Native Department, that not one of them, from the chief downwards, shall attempt to acquire Native land for himself or others while he is employed as a Government officer. I know that many of our troubles in this matter have arisen from the fact that Government officers and others have been acquiring land for themselves or other private persons at the same time that they were acquiring land for the Crown. I say it is a safe and sound principle to lay down that, so long as a Government officer receives proper consideration for his services to the Government, he should be compelled to stand on one side and make no bargains for himself or for others. I now come to another question, and that is, whether or not we should carry on any regular system of land purchases on Government account. Upon that point I may say that I think it will give us as much as we shall be able to do to complete the negotiations now going on, and, that being done, we shall do well to come to a decision similar to that which was to have been come to by our predecessors: that the Government should go out of the market as a general purchaser of Native land. There are several reasons why it appears to me that it must be so. If we have to do anything, there is nothing like doing it with a good grace. In the first place, it means, if we are to carry on the present system on an extensive scale, that there must be large sums of money spent. In the second place, it becomes more and more difficult every month for the Government to acquire Native land, because the Native people can find private purchasers who will give two, three, and four times the price the Government will give, and it is not to be expected that the Natives will let the Government have their land

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for 2s. 6d. per acre when private persons are willing to give 10s. One more remark in reference to the purchase of Native lands, and then I have done with that part of the subject. The money voted by the House for the purchase of Native land was apportioned amongst the several provinces of the North Island. It was apportioned thus: The Province of Auckland received one-half the amount, and Wellington, Hawke's Bay, and Taranaki received the balance in smaller amounts computed in proportion to population. As it stands now, the department is advised that of that amount Auckland will require this year to expend £52,000; Taranaki, £10,000; Wellington, about £8,000; Hawke's Bay, about £7,000. The balances in the respective provincial districts stand as follow: Auckland, £30,894, deficiency about £18,000; Wellington, £69,000, surplus £48,095; Hawke's Bay, £40,000, surplus £32,601; Taranaki, £28,230, surplus £18,230. We purpose for the present year to operate upon these funds without distinction in regard to provincial distribution. That is to say, we shall take from the balance that is left so much as is required to complete the Auckland purchases, and next year we shall ask the House to consider the question of returning to the other provinces the amounts thus drawn from their accounts. I have now come to this point: that the Government propose to retire from the field as land purchasers on a large scale. They consider it is proper under existing circumstances to leave private persons to be the chief operators in the purchase of Native land. This, no doubt, is a very important question. I suppose, if there be one acre of Native land in the North Island there are fully 30,000,000 acres still untouched, and still open to be dealt in by persons desirous of purchasing and settling on land in this colony. In 1862 an Act was passed which, for the first time, abolished the right of pre-emption, established the Native Land Court, and enabled private persons to deal with the Native people for the purchase of their lands. I have never changed my opinion about that measure. The surrender of the right of pre-emption was the most fatal mistake that was ever made in this colony, and I am sure that had that mistake not been made we should not have seen one-half the trouble that we have experienced in the past. However, "it is no use crying over spilt milk:" the thing is done. The law has been in operation for a number of years, it is now a fixed part of the policy of the country, and it would be simply absurd to attempt to meddle with or change that policy. The Act of 1873, under which we now are, is admitted to be a failure, and to my mind its greatest defect consists in this fact: that the Native Land Court has become the servant of the Native Department. The Judges of that Court have ceased to possess any independence, and the Court itself has simply become a machine which has been used to help the Government to secure a large quantity of Native land in the North Island. However desirable it may have been to secure such an estate, however much the public interest may have been benefited by what has been done, I think it is a matter of regret, and also a mat-

ter of considerable danger, that the Government should be in a position to interfere with the administration of justice in the Native Land Court by altering the proceedings of that Court as they please, and preventing the Natives from securing that justice to which they are entitled. Last session the Government promised to deal with the question, and during the present session they introduced a Bill for that purpose. It was discussed, and, after a very severe fight indeed, it was withdrawn. As the work of a draftsman, that Bill was simply faultless; but its policy was very faulty. The sole object of the Bill we had placed before us was to construct what may be termed a novel kind of threshing machine, into which if you put the Native land of the colony in the shape of straw it would immediately come out, in the hands of the Europeans, as wheat. For that purpose the machine could not have been improved. Had it once got into operation the whole of the Native land in the colony might have been put through it in twelve months. However, it was felt by the House that there were two things necessary in a Native Lands Bill—that every facility should be given to Natives who had a right to land to obtain their Crown grants; and, secondly, that, in the interest of European settlement, it was necessary to prevent the acquisition of whole sides of country by single individuals. The feeling on all hands was so strong that the Bill did not contain these necessary conditions that the Government were obliged to withdraw the measure. But then they made a greater mistake than the first by bringing in a Bill to stop all transactions in Native land for a period of twelve months. While I am opposed to inordinate speculation by individuals, and while I believe that in the interests of the colony it is of importance—of large importance—to put a stop to it, still I say this: that I would much rather see settlement of that kind going on than see settlement entirely put a stop to; and it would have been doing a great injustice to Natives and Europeans alike to have put a stop to all Native land transactions for a period of twelve months. I shall now state what action we propose to take this session. We propose merely to touch the Native land question on one or two points—first, in respect to providing for the inclusion of minors in Crown grants in the direction in which I have already spoken; and, secondly, we propose to amend the machinery of the Native Land Court in one respect. At present, decisions of the Court may be appealed against without any cost to the appellant, and the fact that a man may have a rehearing at no cost to himself, coupled with a chance of getting a verdict in his favour, leads to many rehearsings which are altogether unnecessary. We therefore propose to alter the law, so that if a man wants a rehearing he must first guarantee the costs of an appeal. That is the extent to which we shall go in dealing with the question this session.

Mr. GISBORNE.—To whom are appeals to be made?

Mr. SHEEHAN.—To the Native Land Court; but the person to hear and decide the appeal

must be a person not connected with the decision to be appealed against. Before referring to what we shall propose to do next year, I may say we shall use the present Native Lands Act for the purpose of preventing undue speculation. I shall presently explain to the House what we propose to be done. We take it that the very foundation of a proper Native Land Bill is to settle Native title, and to put the Natives in a position to hold land under Crown grants; and, in order to accomplish that effectually, we say that the facts as to ownership must be found by the men who are the best qualified to find those facts. At the present time those facts are found by a European Judge, and he settles the matter according to Native custom. But where does he get his information from? From the Native chiefs. They are the people from whom he gets his knowledge, and we propose that our Native Land Bill shall contain a provision whereby the independent and intelligent chiefs of the different tribes shall themselves find those facts, and that there shall be European Judges simply for legal purposes only—that their duty shall be not to ascertain title, but to inform the Natives of the operation of the European law of property, and settle the title according to the wish of the admitted owners. By that means I think we shall get over the difficulties which have troubled us in the past, and which are still troubling us, in regard to children and married women. If the Natives once learn how the European law operates they will see that the children in the Crown grants are represented by fit persons, and will take care that the husbands of married women shall be placed in the Crown grants. I am also strongly of opinion that the establishment of such a system will largely reduce the cost of maintaining the Native Land Court. We think that, if that system were adopted, two or three Judges to hold Courts in various parts of the country would be sufficient for all the purposes of the Act. I come now to the question of what may be termed illegitimate speculation; and speculation which may be termed illegitimate has not in the past been altogether an unmixed evil. It must be borne in mind that in some cases large areas of country may very properly be taken up, because, owing to differences in quality and capabilities in various parts of the country, we know that in some districts it would be almost impossible for men to settle profitably unless they take up large areas. In some cases large areas must be held; but what I object to is, that large blocks of land should be held by single individuals which might more profitably be cut up into small farms, and might support a large population instead of a large number of sheep. It appears to me that the safest way of getting over the difficulty is this: In the first place, to insert in any law passed by this House provisions which will give every facility for the individualization of Native title. If we were to pass such a law as that, we should at once cease hearing of large blocks of country, say, of 30,000, 40,000, or 50,000 acres, being put through the Court in the interest of ten or twelve people. If you give the means of speedily determining the rights of individuals in large blocks of land, you will at once

put a stop to land monopoly by large capitalists. Therefore such a provision as that will be an essential feature of the Bill we propose to introduce next session. If possible, before Native land is dealt with, the owners will be asked to individualize their title, the delay, and difficulty, and obstruction which now exist in the accomplishment of that purpose having been removed. We shall rather go out of our way in bringing about the individualization. The effect of that would be, of course, to reduce the areas of the blocks, and I feel certain that, while, on the one hand, such a course will promote the settlement of the country by encouraging small capitalists, it will also do a great act of justice to the Native people who own these lands. I know, and many other members who come from Native districts must know, that there have been many cases in which blocks of land belonging to a whole tribe have been sold for the exclusive benefit of a few persons, while the persons who, under a different system from the present, would be in the Crown grant, and entitled to a full share of the benefit, have been told to go about their business. That I believe to be one of the greatest causes of discontent amongst the Natives against the Native Land Court. It appears to me, also, that we shall, as a Government, having ceased to be land-buyers, be able to act somewhat in the direction of advising and directing the Native people in regard to the disposal of their land. Having ourselves ceased to be purchasers, we shall be able to give independent and impartial advice, which must have a good effect upon the Native mind. While it might not be desirable to lay down an absolutely hard-and-fast rule compelling them to come to us for advice and assistance, yet, if we show them that we are anxious to really assist them, we shall very soon have applications from all parts of the country asking us to advise and assist them in selling their lands. I next come to the question of the settlement of the country in large areas. I myself, having had many opportunities of judging of the capabilities of most parts of the North Island, am well aware that there are many thousands of acres in that Island which could not be profitably owned except in large areas, and that to put a man down on four or five hundred acres of it would simply be cruelty of the grossest kind. Where the land, from its situation, quality, or other causes, cannot be profitably occupied in small areas, I think it will be best for the good of the country to promote the settlement of that land even though it be in large areas. I come now to the question of Native representation. This is a very vexed question. Since I have been a member of this House, we have had, every year except the present, Bills providing for increased representation of the Native race. Last year a promise was given by the late Government to bring down a Bill dealing with the subject this year, and, although I understood from the honorable member for the Waikato that he would not be able to fulfil that promise this session, still he gave the House, in a speech delivered in the early part of the session, some indication of what the Bill was likely to

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be. I gathered that he proposed to abolish the special representation, or rather that portion of the law which enables Natives to vote for Europeans and at the same time gives them a special representation by persons for whom they alone could vote. I do not look upon that as a solution of the question. If the Natives throughout the country held their land under Crown grant, and could register their votes as Europeans do, I should at once abolish the present special representation, and say to them, "If you wish to be represented and vote as Europeans do, you too must take those steps to enable you to do so which are provided for by the Constitution Act." But, as a matter of fact and of law, it is impossible for the great majority of the Natives to have such power of voting, and therefore it would, in my opinion, be a great injustice to deprive them altogether of the franchise by abolishing their special representation. There are at present two systems at work—special representation by Maori members elected by the Maoris themselves, and the system whereby, at the election of European members, a small percentage of Maori votes can be given for the European. I say unhesitatingly that the proportion of Maori votes given for Europeans is not more than 5 per cent. of the whole, although, as a matter of fact, the proportion of Maoris to Europeans is very much larger. The solution of the difficulty which I should propose, and which I believe would be fair, would be the retention of the special representation, increasing the number of members to seven, and leaving it at that for some years to come, when we may hope that, by the operation of a suitable Native land law, and by the conversion of the Native titles to a freehold tenure under Crown grant, we could call upon them to give up all special representation of the race, and to vote as Europeans do. I shall now make a few remarks with reference to the department over which I specially preside. Very few people have lived in this colony for any length of time without hearing a great deal of evil about this department. If anything is likely to catch the public ear at election time, and, if I may say so, bring down the house and secure an ovation for the orator, it is abuse of the Native Department. But the Native Department, like a great many other things, is not deserving of all the abuse it receives. For my own part, I utterly deny the theory that you can carry on the business of the country without something in the semblance of a Native Department. Until you have taught the Natives to speak English, given them a better knowledge of our laws and customs, and induced them to intermingle more with the European population, you must have some special source from which you can convey information to them and by means of which you can learn their wants. I should, however, be sorry to take upon myself the defence of the Native Department, or to constitute myself its apologist. I believe that, while it has existed for many years for a good purpose, it has worked in many cases for a bad purpose. It has stopped settlement, and there are not wanting good grounds for saying that difficulties

have been thrown in the way of settlement in many instances by the Native Department. But I must speak of things as I find them, and I am bound to say that I can speak in the highest terms of the chief officers of the Native Department with whom I have been brought into contact during my short tenure of office. Speaking, first, of Mr. Clarke, the Under Secretary, I am glad that an impression which I entertained with regard to him has been totally removed, and I can now say that I know him to be a most indefatigable, fair, and impartial officer. I know, too, that the gentleman in whose hands rests the management of Native schools and of education amongst the Natives has proved himself to be a most enthusiastic and zealous advocate of improving their condition. It is not, however, against the central department that the public has most complaint to make. It is in regard to the ramifications of it throughout the country in the remoter districts that cases have arisen to lay it open to criticism. I make this statement not idly or without consideration, and I say we should lop off numbers of those branches, and by doing so we shall confer great good upon the public, and effect a great saving in the revenue. If it should be my lot to carry on this department until the next session of this House, I hope I shall be able to show that the Native Department, from being, as it is now, a very large, ill-organized department, will have been reduced to a useful skeleton department, concentrated here in Wellington. I do not believe in the cry that the Natives and Europeans should be treated as one people. We hear very often of their both being subjects of the Queen, and that they should be treated alike and placed under exactly the same laws. But any man of common sense and fair reasoning will admit that, though they are equally subjects of the Queen, yet the difference in point of intelligence is so great between them and the Europeans that you cannot apply to one the rules which you can apply to the other. You therefore require some special means of dealing with the Natives and governing them. At the same time, I think that the means employed are far too scattered and expensive, and that you can reduce the number of officers in many places, and thereby, instead of creating disturbances, you will be drawing the Native people closer and closer into the bonds of civilization with their European friends. I myself have often felt what it was to be thwarted by an official of this department. The objection to the department has been that the members of it dwelt, metaphorically speaking, in a cave into which you could not enter unless you had the pass-word "Open, sesame." But, once that pass-word was obtained, you could go in and buy Native lands or work Native oracles as you chose. If, on the other hand, you could not use the pass-word, or, in colonial phraseology, "tip the wink," you might go about your business. That is a system which should be put an end to, and I think that, by the reduction in the number of officers which we propose to make, it will largely come to an end. I will now refer to the question of our relations with the

King. I have referred to it to some extent before, when speaking on the subject of whether we were likely to have a Native disturbance or not. I have shown, I think, that such a thing is not likely to occur. I now say that it is possible to settle the present King difficulty and remove that which has been the greatest barrier to settlement in the North Island. We have been told that the telegrams which we received from the King country have been manufactured by our agents there. I may say at once that we have no agents there except those officers of the Government whom we found when we came into office. For myself, I may say that I have not sent a single telegram to any person in the Waikato outside of the Government service, nor have I received any from that place, and I may say the same for all my colleagues. The telegrams we have received were sent unasked for, and we have the most positive assurances that the King himself is ready to meet us, in the expectation that the present difficulty and the barrier that separates him and his people from the Europeans and the rest of his own race may be removed. I may say that the communications we have received have not been from friendly Natives only, but we have received private telegrams from Manuhiri, the secretary to the King, and from the King himself, and I believe it is the first time that such a telegram has been received by the Native Department for the last five or six years. We are told that no good will result from such a meeting; and one reason given is, that my honorable friend the Premier was Governor of the colony when the Waikato war broke out, and that he partly consented to it. But the fact is that the Natives respect no man so much as the man whom they would call a *toa*—the man who has fought and beaten them. Instead of being an objection, that will be a recommendation to my honorable friend if he goes to the King country. No one can overestimate the value of the settlement of this difficulty. For some years past these Natives have remained quiet, doing nothing more than shelter some fugitive offender: still the existence of that country in its present state is a great stoppage to settlement, and, if it once went forth to the world that the difficulty was settled, and that the *aukati* no longer existed, you could go into the money market and borrow as much as you liked on reasonable terms. I do not for a moment pretend to say that we can, by going up there and by interviewing the King for a few hours, settle at once and for ever the King difficulty. It is possible we might fail even at a long interview; it might necessitate even further correspondence and negotiations. But I only claim this much for the Government: that we go there invited to go there; that we go there with a certain amount of good reputation in our favour; and that the people themselves are anxious to meet us, and are hopeful of a satisfactory settlement being come to. It may be that the demands made by them will be demands which we, regarding the interests of the colony, cannot afford to concede; and for my part I would be no party to a concession which would ma-

terially affect our interests, weaken the respect which we are entitled to in the eyes of the Native people, or render to the Natives residing in the King country more than they are entitled to as a matter of justice and fair-play. I shall be glad if the result of our interview will be a settlement of this King difficulty, and, if it be, I shall be still further glad if within no distant time we shall have present in this House as a member of it some leading chief either of the Waikato or the Ngatimaniapoto tribe. I think I have dwelt upon all the more salient points with regard to Native affairs in this Island, and I have taken up the time of the House at great length, for which they must excuse me. I have been very anxious to put our views on the subject before the House as completely as I could, so that in weighing and determining upon the policy of the new Government they might not come to a conclusion without being sufficiently informed. Sir, the time was when the Native question was the main question discussed in this Parliament. I can remember, as a school-boy, being on two or three occasions in the strangers' gallery of the Assembly in Auckland when this was the question of the day. On the Native question elections were determined, and upon that question Governments went in and out of office. Sir, you yourself, the member for Timaru, the member for Wanganui, and other members whom I need not name, who were the political giants of those days—I have seen you often stand up on the floor of the House and fight out your respective opinions on Native matters. We had then no Public Works policy, a comparatively small revenue, and the bulk of the administrative work of the colony was performed by the provinces. Therefore the House fell back upon the only really large question, taxing the powers of statesmen, that it had to deal with. I can recall the time when an attempt was made to separate the North and the South Islands upon Native matters, and to claim for the North Island members alone the right of interfering in and determining Native questions; and I know that one of the strongest objections taken to that proposal was taken by a South Island member who is no longer in this House, and who said that he declined to give up the Native question because he wished to keep it as a school for the rising statesmen of the colony. It was necessarily an important question at that time, because the Native people were numerous, while we were comparatively few in number; they were armed and were capable of fighting; and, while we know that our population can now afford to laugh at any attempt materially to interfere with the settlement of the Island, at that time the Natives could have made us laugh the other way. At that time we professed to be animated by the best possible desires towards the Native people. We told them that we wished only their advancement; that we wished to protect them in the occupation of their land, to educate them, to make them one with the Europeans, to teach them our laws, and in every respect to raise them to the same level as ourselves. We are now in that position when, in consequence of our superior strength and popula-

*Mr. Sheehan*

tion, in consequence of the decay of the Native people, in consequence of their defeat in war on many occasions at our hands, we can afford, if we think such a course proper, to repudiate those promises. But, Sir, I mistake the temper of this House, I mistake the character of our public men, and I mistake the feeling of the country if we shall adopt a policy of that kind. I feel perfectly certain that the very fact that we are now a superior people in all respects, that it is now in our power, if we think proper, to repudiate every one of those engagements, will make us all the more anxious to fulfil them to the letter and to the spirit. I look forward to the time when there will be no Native question, when we shall be really one people, and when no special department will be necessary for the purpose of governing the Natives apart, even to the smallest extent, from their European fellow-settlers. I look forward to the time when special communication with them will be at an end; when the barrier which now exists in the King country will be removed; when the Queen's writ will run, really and truly, from one end of the country to the other; when there will reside in this country two races side by side, speaking the same language, understanding and obeying the same constitutional government; and when over and above all of them the law will

"Sit empress, crowning good, repressing ill."

Order of the day postponed.

#### LAND BILL.

This Bill was further considered in Committee. New clause.

Mr. KELLY moved the addition of the following new clause: "Notwithstanding the provisions of subsection four of section sixty-four, it shall be lawful for the Board to dispense with personal residence if the land is rural land and wholly or mostly covered with bush."

Question put, "That the clause be a clause of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	17
Noes	...	...	...	27
Majority against ...				10

#### AYES.

Major Atkinson,  
Mr. Barff,  
Mr. J. C. Brown,  
Mr. De Lautour,  
Mr. Fitzroy,  
Mr. Gibbe,  
Dr. Henry,  
Mr. Hislop,  
Mr. Larnach,

Mr. Nahe,  
Mr. Seymour,  
Mr. Sheehan,  
Mr. Swanson,  
Mr. Tesehemaker,  
Mr. Wason.

#### Tellers.

Mr. Hursthouse,  
Mr. Kelly.

#### NOES.

Mr. Baigent,  
Mr. Beetham,  
Mr. Bowen,  
Mr. Curtis,  
Mr. Fisher,  
Mr. Gisborne,  
Mr. Hunter,

Mr. Murray-Aynaley,  
Mr. Rees,  
Mr. Reid,  
Mr. Richardson,  
Captain Russell,  
Mr. Stevens,  
Mr. Stout,

Mr. Johnston,  
Mr. Joyce,  
Mr. Lumsden,  
Mr. Macandrew,  
Mr. McLean,  
Captain Morris,  
Mr. Murray,

Mr. Thomsen,  
Mr. Whitaker,  
Mr. Williams,  
Mr. Woolcock.  
*Tellers.*  
Mr. Montgomery,  
Mr. W. Wood.

The clause was consequently negatived.

Progress was reported, and leave given to sit again.

The House adjourned at half-past twelve o'clock a.m.

## LEGISLATIVE COUNCIL.

Friday, 16th November, 1877.

First Readings—Second Reading—Third Reading—Education Bill—Private Bills—Education Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

### FIRST READINGS.

Fish Protection Bill, Imprest Supply Bill No. 6.

### SECOND READING.

Imprest Supply Bill No. 6.

### THIRD READING.

Imprest Supply Bill No. 6.

### EDUCATION BILL.

The Hon. Major RICHMOND.—Sir, I will ask permission, before you give your ruling upon the point that was raised yesterday, to make a statement in justification of the action of the Committee in passing the clause proposed by the Hon. Mr. Buckley. The additional clause moved by the Hon. Mr. Buckley in the Education Bill does not appear to be in any respect an appropriation clause, but, as was suggested by the Hon. Mr. Hall, purely an administrative one. The money proposed to be granted to the Committee it is assumed has been appropriated by the General Assembly, and has been handed over to the Education Board of the particular district, for the purpose of carrying out the provisions of the Education Act. This clause, therefore, is no appropriation of funds, nor is it a diversion of funds: it merely provides that it shall be lawful for the Board in whose hands the funds are placed to make use of those funds for the purposes of the Act. In this case it is clear that certain sums of money have been voted and are supposed to have been handed over to the various local Education Boards, and there can hardly be any question that the Legislative Council has power to initiate provisions which would authorize the Local Boards to deal in certain ways with the funds at their disposal. It is difficult to see how this can be looked upon as an appropriation or a diversion of the funds of the local Education Boards. The money belongs to the Boards, and this would appear to be not so much an enacting clause or appropriation clause as a declaratory statute—

the clause appearing to carry out the intention of the Act, and to relieve the Board of each district from any doubt as to the powers which they possess in regulating the distribution of their funds for educational purposes.

The Hon. Sir F. DILLON BELL.—As I was the member who called the attention of the Chairman of Committees to what appeared to me to be the bearing of this particular clause, I wish to express my sense that very great blame is attributable to me for having, through inadvertence, omitted to draw the honorable gentleman's attention to the question before raising it in Committee.

The Hon. Dr. GRACE.—I wish to say, as materially pertinent to the question, that, in the first place, I cannot regret that the Hon. Sir F. Dillon Bell took the public opportunity he did of drawing attention to this very important matter, because I think it covers a subject of such importance that it cannot be too clearly laid down and appreciated in all its bearings by the Council. However, as I myself am not an authority upon these subjects, I merely wished to draw your attention to the fact that a clause similar to this was not treated as an appropriation clause in another place. Had it been so it could not, in the first instance, have been taken through except in Committee of the whole House: further, as has been so clearly set forth in the memorandum read by the Chairman of Committees, it is not an appropriation of money, but a direction of money already appropriated. Practically, inasmuch as this clause in no way affects the appropriation clause, No. 8, and inasmuch as the money has already passed out of the hands of the Government and become centred under the control of the Board, inasmuch as by the appropriation clause the Government parts with all control over the money, and the money becomes vested in the new body, in that way it appears clear that this clause cannot be considered an appropriation clause. The whole subject is capable of being opened up in the widest manner; its ramifications extend into the consideration of all the varied subjects which we have touched on during the last six or seven years. It appears to me that it would be necessary, granting that we admit this to be an appropriation clause, to allege that in the Education Reserves Bill the other day we had absolutely no right to interfere with an appropriation clause and reduce the appropriation from one-fourth for high-class education to one-eighth; and so the subject opens up in the broadest manner the whole question of limitation of usefulness for the consideration of this Council. I will not detain the Council any further on this matter. The great thing for us to consider is, that in another place, which is essentially jealous of all its privileges, this was not treated as an appropriation clause, and I do not think we ought to raise difficulties which will have the effect of limiting our own usefulness in the colony.

The Hon. Mr. HOLMES.—I think there is no doubt that this is an appropriation clause. The payment out of the Consolidated Fund is for the number of children attending schools established

under the secular system. This clause is for the purpose of establishing a new system of education not contemplated under the Act, and supplementing the funds of those schools with gifts of money and books in excess of what is intended for the schools under the Government. Under this clause any description of education may be established, and therefore any money given to these schools will be altogether separate from the education intended to be given by the Government. I think, therefore, that there is no doubt that this is a breach of the privileges of the other branch of the Legislature, and should be treated as such.

The Hon. Captain FRASER.—I think that this is clearly a money clause; that it is an appropriation of money in a direction which was never intended by the Bill as it came into this Council. We must be very careful before we adopt this clause and send it down to the other House. I understand that one of our Bills has already been challenged in that place, and we should pause before we trench upon the privileges of the other branch of the Legislature.

The Hon. Mr. HART.—The strongest point that weighs with me in this matter is what has been stated by the Hon. Dr. Grace, that this clause has not been treated as an appropriation clause in the other branch of the Legislature. If it was an appropriation clause it was the duty of the Speaker of the other branch of the Legislature to point out that it was, and, as a matter of ordinary rule, it should have been brought into that House in a special manner. That not having been done, it is only fair to assume that the clause was not considered by the other House, nor by the officer whose duty it is to rule on such questions, to be a money clause. Reading the clause, it is very doubtful; and I do not think this Council should be the one to narrow the ground of action which it can take in questions of this kind. It may well follow the lead of the other House in these matters. As has been remarked, the money is in the hands of the Board. The actual appropriation will not be increased or diminished. As a rule, by the Act a large amount of discretion is given to the Board with respect to dealing with the funds in its possession, and this is an intimation that any twenty-five householders within the district in which the Board acts may signify their desire to be constituted into a separate body for educational purposes, and it will then be the duty of the Board to convene a meeting of such householders for the election of a School Committee, and, when that Committee is established, to grant them aid in money and books. There are then provisions which literally bring that school under the control of the Board, namely,—

"Provided always that every such Committee shall provide a schoolhouse or schoolhouses to the satisfaction of the Board, and shall appoint and pay the teacher or teachers of such school or schools, every such teacher having first obtained a certificate of competency, as provided in section forty-four of this Act: Provided also that all books used in any such school shall be approved

*Hon. Mr. Holmes*

by the Board; and that, in every respect wherein no special exception is made in this section, every such school shall be a public school under this Act, and subject to the provisions which this Act makes for the conduct, management, and inspection of public schools; and that every such school shall be open to all children between the ages of five and fifteen years without fee or payment of any kind."

In point of fact, it is simply enabling the householders to hold a school which shall be absolutely subject to the inspection of the Board. Under these circumstances, it seems to me, the money being already in hand, that after all, whatever doubts I may entertain on the subject as far as the action of another branch of the Legislature is concerned, we have a precedent for dealing with the clause in this way.

The Hon. Colonel WHITMORE.—The Government opposed this clause, it is true; but I have no wish to endeavour to throw it out upon a ground of this kind, the principle of which, if admitted, would, I think, be attended with very great injury to this Council. I think that this session we have gone a little too far, perhaps, in doubting our own powers. We have gone a great deal further than we have ever done before, and I am afraid that, if we go on in the way we are now going, in a short time there will be nothing left for us to legislate upon. Although I would willingly have seen the clause defeated, yet, as it was not defeated, I shall not allow my desire to see it excised from the Bill to conceal from me that the Council would, in my opinion, be doing a very foolish thing if we threw a doubt upon our own power to deal with the matter in any way that the majority of the Council deem proper. I am sorry to differ from those honorable gentlemen who think otherwise, and whose opinions I value; but I certainly must oppose the theory that we have not ample power to deal with a clause of this kind, which is in no respect an appropriation clause.

The Hon. Mr. G. R. JOHNSON.—Without wishing to take up the time of the Council, I would like to point out, in addition to what has fallen from the Hon. Mr. Hart, a point which seems to me not to have been particularly noticed—namely, that at the conclusion of the appropriation clause there is this sentence: "Subject to any such appropriation, regulations may be made prescribing the times and manner at and in which such moneys shall be paid or applied." That clearly applies to the Board, which is to say in what manner moneys shall be applied, subject to regulations. Now I come to the clause that is under discussion, and, I say, all that is there provided for is that it shall be lawful for the Board to grant: it is not a direction to the Board, but simply gives them power to grant. It seems to me it does not diminish the power of the Board, but only increases it, and that not by direction but by permission: therefore I cannot conceive that it can in any way be taken to be a question of appropriation. Besides, there is the point the Hon. Mr. Hart has alluded to, that the moment the money is applied in the manner spoken of, the school to which it is applied be-

comes a public school, and comes within the provisions of the Act itself.

The Hon. Mr. PATERSON.—It appears to me that this clause authorizes the appropriation of money for the establishment of a class of schools that were never contemplated by the Bill as it originally came to this Chamber. The Bill simply provided for a system of secular education, and this clause proposes to take a portion of the money voted for that purpose to introduce a class of schools of another description altogether. I understand that the object of this Bill as it was introduced and passed through the other branch of the Legislature was the establishment of a purely secular system of education. Now, this clause opens the door to schools in which religious instruction of any or every kind may be given, and which are to be supported by money voted by this Legislature under an Act which provides simply for a secular system of education. To me it appears to be a subversion of the object of the Bill altogether. If we are to permit of religious instruction, let it be openly and deliberately done, and the provision, with all necessary regulations, inserted in the body of the Bill, and not introduced by a side-wind in a clause professedly for another purpose, added to the Bill after it has been adopted as providing simply a secular system of education. I cannot see how the objection to this clause on the ground of its being an appropriation clause can be surmounted. The School Board has a certain sum payable to it to support a system of secular education. If that Board, on the authority of this clause, takes and administers that money in aid of religious education, there will be a departure from the purpose for which the money was granted to the Board, which is certainly appropriation in its most objectionable form.

The Hon. Mr. BUCKLEY.—I wish to correct a misapprehension on the part of the honorable gentleman who has just spoken. I understood him to say that aid was to be given to a different class of schools from those referred to in the Act. I would draw the honorable gentleman's attention to the last part of the clause under discussion, which says, "Provided also that all books used in any such school shall be approved by the Board, and that, in every respect wherein no special exception is made in this section, every such school shall be a public school under this Act." Therefore it must be a public school. However, the present point is not so much as regards the clause itself as the important principle of whether it involves a breach of the privileges of the other House. I am sorry to say that I think that for some time past there has been a tendency on the part of members of this Council to give way too much to the fear that we may trench upon the privileges of the other House, and I think that we are very wrong in doing so. I contend that, whatever our privileges are, we should claim them at all times to the full extent. I must say that in this case also we seem inclined to give way. If this clause is to be considered a breach of the privileges of the other House, I do not know what rights in this respect we shall have left. As pointed out by the Hon. Dr.

Grace, it is very certain that the House of Representatives did not regard a similar clause in the light of an appropriation clause. I notice that in another colony a question of this sort has recently occurred. It appears that in Melbourne lately the Legislative Council took upon itself to strike out of the Railways Bill a certain line of railway. The action of the Council was immediately treated by the Legislative Assembly as a breach of its privileges. But the Legislative Assembly had forgotten that years previously the Council had exercised the very same power. Their action was challenged on that occasion, but they proved that they had the right to proceed as they had done, and insisted upon retaining that right. Of course the question was then set at rest, because they had the right in the first instance, and had retained it. If we keep giving way on these points we shall really have no privileges left.

The Hon. Mr. PEACOCK.—It strikes me that the clause proposed last night is very similar to a clause we passed before—clause 42. In this case it says the Board may set apart a certain amount of money for a certain purpose. The 42nd clause says, "The Board shall, out of the Board Fund, make such provision from time to time as it shall see fit for the following purposes." Then there are seven purposes named. It appears to me we are merely adding one other purpose to the seven provided in clause 42.

The Hon. the SPEAKER.—I have been asked to give an opinion in reference to the 8th clause of the Education Bill, and the amendment proposed by the Hon. Mr. Buckley to that clause in the shape of an additional clause. I have made inquiries, and I find that the House of Representatives went into Committee of the Whole to consider clause 8 of the Education Bill, and resolved to recommend the appropriation proposed in the clause, substituting "not exceeding three pounds fifteen shillings" for "three pounds ten shillings," which resolution, being read a second time in the House, was agreed to. The House of Representatives have thus clearly and distinctly declared that it is an appropriation clause, by going into Committee for the purpose of passing it.

The Hon. Dr. GRACE.—I am sorry, Sir, to interrupt your ruling. The point of the argument was, that when the aided clause was under consideration in the other branch of the Legislature it was not looked upon as a money clause.

The Hon. the SPEAKER.—I am obliged to the honorable gentleman for his explanation, but that scarcely solves the difficulty with me. The question is with reference to this 8th clause, which has been declared by the House of Representatives to be an appropriation clause. Then the question arises if this proposed addition is only a direction of the money already appropriated; it appears to me that the terms of the 8th clause are so large that there is no necessity to give any further direction than that already provided. I go further and say, if this is an appropriation clause—which I imagine the Council has now no doubt the House of Representatives considers it to be—then I put the question, Is an appropriation clause considered an "aid to Her Majesty"? On that point I



shall read an extract from the correspondence which took place on a former occasion, in 1872, which is as follows:—

"The leading resolution of the House of Commons on this point is that of the 3rd July, 1878, referred to by Mr. May as that 'upon which all proceedings between the two Houses in matters of Supply are founded,' and is as follows:—

"That all aids and supplies and aids to His Majesty in Parliament are the sole gift of the Commons: and all Bills for the granting of any such aids and supplies ought to begin with the Commons: and that it is the undoubted and sole right of the Commons to direct, limit, and appoint, in such Bills, the ends, purposes, considerations, conditions, limitations, and qualifications of such grants: which ought not to be changed or altered by the House of Lords."

I think language would totally fail more clearly to indicate that this 8th clause is such an "aid"; and, that being the case, we have no right to insert the proposed amendments. I am extremely sorry that, so far as I can judge from the speeches and expressions used, I am not in accord with the members of this House. But I feel it to be my bounden duty, after a most careful and painstaking examination of the whole subject, to give my opinion in accordance with what appear to be the clear facts of the case. I may say, further, that, if the question arose in Committee, and there was any doubt as to the ruling given by the Chairman of Committees, that ruling is so far final. If it is at any time decided to ascertain what is the opinion of the Council—not of the Speaker—then it is the duty of the Committee to move a resolution that reference be made to the Council for guidance. A similar case has occurred in my recollection, and then the Council was asked for its opinion. The Council itself came to a determination as to what direction it would give the Committee after asking the opinion of the Speaker. I feel that this is so important a matter—I feel that the responsibility is so heavy—that I should not be justified in ruling on the subject. Therefore I simply give my opinion, that the adoption of the amendment clause in question and sending it to the House of Representatives would be an invasion of the privileges of that House.

The Hon. Colonel WHITMORE.—Sir, as far as I can gather, your ruling and the speeches made in the Council refer to two different matters. I spoke of the clause introduced by the Hon. Mr. Buckley yesterday, but as I understand your ruling it refers to clause 8 of the Bill, with which I cannot see that it has any real connection. One is a distinct appropriation clause; the other, I believe, is not an appropriation clause at all. To the best of my belief, the clause introduced by the Hon. Mr. Buckley was not treated as an appropriation clause in another place. I thought it had been made abundantly clear that there was no new appropriation in the clause proposed by the Hon. Mr. Buckley, but it was only a latitude given to the Board in spending the money that came to their hands, and to allow the distribution in another manner. It appears, Sir,

*The Hon. the Speaker*

that I am at variance with you in regard to the question under discussion.

The Hon. the SPEAKER.—I think it is not desirable that the Speaker should enter into an argument in support of the opinion he has expressed, but I cannot help saying, with reference to the remarks of the honorable and gallant member, that, if I am right in considering this 8th clause as an appropriation clause, then it is not in the power of the Council to change or alter the clause. That is the view I take.

The Hon. Sir F. DILLON BELL.—I would direct the attention of honorable members to a great misapprehension which appears to exist as to the course of procedure in the House of Representatives in such cases. From what has fallen from the Hon. Colonel Whitmore and the Hon. Dr. Grace, I gather that they think, because the House of Representatives did not go into Committee of the Whole to consider the clause known as Mr. Curtis's clause, which is identical in principle with that proposed by the Hon. Mr. Buckley, therefore it was not treated as an appropriation clause—

The Hon. Colonel WHITMORE.—The honorable gentleman appears not to have heard what I said. I gave the Council no information as to the custom in another place. All I said was that I thought that I was at variance with the Speaker as regards the question under discussion. I considered that there was only clause 108 under discussion, and I did not see what bearing that had on clause 8. I admitted, without question, all that the Speaker said had been done in another place in regard to clause 8; but I was not speaking with reference to clause 8.

The Hon. Sir F. DILLON BELL.—What the House of Representatives does is this: It goes into Committee of the Whole to consider clause 8 of the Education Bill, which appropriates money. The Committee of the Whole makes a recommendation to the House to grant funds for giving effect to the objects of the Bill, but the Committee of the Whole does not prevent the Committee on the Bill from varying that appropriation. It was, therefore, quite unnecessary for the House of Representatives to go into Committee of the Whole to consider Mr. Curtis's clause. Mr. Curtis's clause, or any other clause which came within the four corners of the intention of the 8th clause, was quite in order to be received in Committee on the Bill in the House of Representatives, although it did not form part of the original Bill. But that does not make it competent for us to introduce it here.

The Hon. Dr. GRACE.—I would draw the honorable gentleman's attention to the fact that one material part of the contention is that the appropriation is already made in clause 8. When the appropriation was made the appropriation was done with.

The Hon. Mr. MANTELL.—I would ask, Sir, what is the motion before the Council?

The Hon. the SPEAKER.—There is no question before the Council at present, and therefore this discussion is out of order.

The Hon. Mr. HALL.—I beg to move a resolution on this subject which, at any rate, will

give honorable members an opportunity of discussing the question. When the matter was under discussion in Committee, I expressed an opinion that the amendment proposed by the Hon. Mr. Buckley was not an appropriation clause, and I gave my reasons for that opinion. At that time the matter had not been so thoroughly ventilated as it has now, and I think it is the duty of any honorable gentleman, when further discussion on a subject leads him to arrive at a somewhat different conclusion from that he had at first, not to shrink from saying so, but to state frankly that he has seen reason, if not entirely to change his views, at any rate very much to doubt the soundness of the opinion he had expressed. The manner in which this question presents itself to my mind is this: The amendment authorizes the Boards to pay certain moneys to schools to which, under the Bill as sent up to us, it could not have been paid. Either these are public schools within the meaning of the Act or they are not. If they are public schools, then, undoubtedly, we increase the amount of the appropriation which would have been payable under the Bill as it came from the other House. If that is the case, then the amendment is an appropriation clause. I am, however, bound to say that I have considerable doubt whether such schools are public schools, because the Act says a public school must be subject to the control and also under the management of the Board. These schools are subject to the control, but not to the management, of the Boards. Now, if they are not public schools, what is the position in which we place the Education Boards? We ask those Boards to pay a considerable sum of money to denominational schools without their having any corresponding increase of receipts from the Colonial Treasury. We authorize the Education Boards to pay considerable sums of money to denominational schools while in respect of those schools they do not receive any money from the Government at all. For these reasons, if this is an appropriation clause, I think we have clearly no right to pass it. If it is not an appropriation clause, we have a right to do so; but we place the Education Boards in a position of serious financial difficulty. I therefore very much doubt whether it is expedient to adhere to the clause proposed by the Hon. Mr. Buckley, and I give expression to that feeling in the following resolution: "That, considering that serious doubt exists whether the amendment proposed by the Hon. Mr. Buckley in the Education Bill may not have the effect of an appropriation clause, it is, in the opinion of the Council, inexpedient to adhere to it." This does not express any definite opinion upon the subject. I am as anxious as any member of the Council that, whilst we should not trench on the privileges of the other House, we should not abandon our own; and therefore I ask the Council to say that, considering all the circumstances, it is inexpedient to adhere to the new clause.

The Hon. Dr. GRACE.—I am glad the Hon. Mr. Hall has taken the opportunity of explaining his change of opinion. I think that on a matter

of this gravity it is of the first importance that honorable members should have the courage of their opinions, whatever those opinions may be. But the arguments upon which he has based his change of opinion seem to me singularly inappropriate, singularly unequal to the gravity of the change, and singularly inapplicable to the whole case. The honorable gentleman's contention is, that either this aided clause gives assistance to public schools from funds outside the amount already appropriated in clause 8, and thus draws money from the general revenue and not from that already appropriated; or else, in providing assistance for schools which are not public schools, by diminishing the gross amount of the sum voted it interferes with the general appropriation. The honorable gentleman's further contention is that if these are private schools we are appropriating moneys for a purpose never contemplated by the Act. Now, I would direct the honorable gentleman's attention to subsection 2 of clause 8, which says,—

"In payment to the Board of every district of a sum of not exceeding three pounds fifteen shillings for each child in average daily attendance at a public school, such average daily attendance to be computed in manner prescribed by regulations."

In any case, the gross sum to be appropriated for the purposes of education cannot exceed and must not, with reservations, be less than £3 15s. per head. Well, the practical result is that the sum of £3 15s. at any rate cannot be exceeded; and the only contention the honorable gentleman can make with any show of reasoning would be this: that, if any sum at all is granted in aid of schools which by the clause under consideration are converted into public schools, that sum should be £3 15s. per head. Now, with reference to that, there is this to be said: that clearly the intention of the Act is that the appropriation must be a gross sum calculated upon the gross number, because if you look at the general distribution of money you will see that the gross sum is diminished by sums accruing from other sources—to wit, reserves and other means. Now, the truth is that any assistance given to aided schools at the option of the Board would practically be taken from the general amount for expenditure. It was never intended by the Act that the appropriation of £3 15s. was to be fixed upon the head of every single individual child. But let us take a broader view of the question. If we have not the power of directing the expenditure of this money already appropriated, then I submit that we are not in a position to decide that certain sums of money shall go for scholarships or prizes, or in any way to influence the general management of the trust created. Are we not in a position in any way to direct the general administration of the educational interests of the State? We are in a position to direct the general administration of the Education Act by altering from time to time the powers of the Boards and Committees. By doing so we are influencing the trusts under the Act, and enabling Boards and Committees to give scholarships, or directing the mode of the expenditure of the money. Where do the Boards get

the funds from? They get the funds from the £3 15s., and, according to the honorable gentleman, if you do not take that sum of £3 15s. and fix it on each particular child you interfere with the appropriation clause. There is another point that is of importance to the whole subject, and that is this: Part of my original contention was, that the moment a Government part with that money by the appropriation clause the money ceases to belong to the Government and becomes vested in the Boards, and the Boards are capable of using that money according to their powers under the Act; and if we alter these powers, then we simply say to the Board that when it thinks it expedient it shall give aid to those schools, which, for the purpose of general education, shall be public schools under this Act. I must say that the whole matter appears to be clear enough. It is simply part of the ordinary machinery of the Bill which we influence in our place in this Legislature by giving a direction to Committees and Boards.

The Hon. Sir F. DILLON BELL.—Sir, I am very sorry to differ from my honorable friend. I will not take up the time of the Council by repeating the arguments which I addressed to the Hon. the Chairman of the Committee last night. There is no doubt, however, in my own mind, that the Council has no power to interfere with a decision of the House of Representatives as to the appropriation of money for this particular purpose. I have always understood that it had been acknowledged by this Council that the function of the House of Representatives was to appropriate the public money in any way they thought proper. Does my honorable friend contend that, when the House of Representatives has, in the Appropriation Bill of the year, appropriated, say, a thousand pounds, for any particular purpose, this Council has the right to alter the destination of that thousand pounds? I regret to hear the opinion expressed that this Council is waiving its rights or yielding up its privileges to the other House. I say that this Council has privileges which ought never to be yielded and rights which ought never to be waived. But when the Council claims the right to appropriate any part of the public revenue, under any pretence or condition whatever, it will seek to establish an entirely novel right, which will never be agreed to by the House of Representatives. The real point is this: whether we do propose by this amendment to make any appropriation and application of the Consolidated Fund which is different from that which the House of Representatives has made. If that is the effect of the amendment, as I say it is, then we are going entirely outside our functions. It is the representatives of the people alone who have the right to say how the public money shall be appropriated, and it is a fundamental principle that the appropriation by the Lower House shall not be interfered with by the Legislative Council.

The Hon. Mr. G. R. JOHNSON.—Sir, when I spoke on this subject a short time ago I had not looked at the passage which you have since read from May. I have now read it over, and it seems to me that, if that is applicable to the present

case, we certainly have not the power to introduce this clause. It appears to me, however, that, under these circumstances, this is not the only case in which we have gone too far.

The Hon. Mr. ROBINSON.—It seems to me that the House of Representatives have voted a sum of money, together with other sums of money accruing to them from public reserves and other endowments, to the extent of £3 15s. per head for every child that is educated in a public school according to certain rules laid down by this Parliament for the education of that child. It seems to me that by this amendment we now ask that the sum of £3 15s. per head shall not only be appropriated for children educated in that particular way. Now we want to take that £3 15s. per head and give it to children who are educated in a manner different from that provided by the Act. Now, the sole question is this: Has this Council the power, after the other House has appropriated a certain sum of money and said that it shall be spent on children educated in a certain manner, to say that money to the extent of £3 15s. per head shall be paid to other schools where children are educated in an exceptional manner? I do not see that this Council would be exceeding its privileges if it gave its opinion that the money should not be appropriated in the manner proposed by the other House. Of course, if the House of Representatives appropriated £1,000 for expenditure on roads or bridges in a certain district, the money would have to be spent in that particular way; but I do not think this is an analogous case. I really think this Council has a right to make the alteration suggested and submit it for the consideration of the other branch of the Legislature, after which, if they disagree with us, we can discuss the question as to whether or not we have exceeded our rights.

The Hon. Mr. BUCKLEY.—I wish to call the attention of the Council to clause 8. That clause was treated as an appropriation clause in the other House, and it was introduced in Committee of Supply. When the Bill was before us on a previous occasion there was no doubt in the minds of honorable members that we could not interfere with any part of the appropriation clause. We could either strike the clause out altogether or pass it, but we could not amend it. The last part of clause 8 is as follows: "Subject to any such appropriation, regulations may be made prescribing the times and manner at and in which such moneys shall be paid or applied." Now, if honorable members will turn to clause 42—which, I may say, is not an appropriation clause—they will see that it says,—

"Every Board shall, out of the Board Fund, make such provision from time to time as to it shall seem fit for the following purposes, namely—(1.) For the payment of salaries and other expenses connected with the carrying on of the business of such Board. (2.) For the expense of purchasing or renting school sites, playgrounds, and buildings, or for erecting, fitting up, and improving school buildings. (3.) For the payment of teachers' salaries. (4.) For the maintenance and education of pupil-teachers. (5.) For grants to Committees for general educational purposes."

Hon. Dr. Grace

(6.) For subsidizing school libraries. (7.) And generally for the payment of all expenses necessarily incurred by such Board or any Committee under their supervision in the carrying out of any of the provisions of this Act."

It is very certain that the Council could alter that clause in any manner it thought proper without in any way interfering with the privileges of the other House. I will go further, and point out that I hold in my hand the copy of *Hansard* which records the division which took place when the clause we are now considering was introduced in Committee in the House of Representatives. This particular clause was not considered an appropriation clause, and it was not introduced in Committee of Supply. Therefore I say that in dealing with this clause we are not interfering with the privileges of the other House. It is the principle that I look to, and I shall be very sorry if, in declining to adopt the clause, we give up any one of our privileges. I shall call for a division on the subject, in order to place on record my opinion regarding it.

Question put, "That the motion be agreed to;" on which a division was called for, with the following result:—

Ayes	...	...	...	...	13
Noes	...	...	...	...	12
Majority for	...	...	...	...	1

#### AYES.

Sir F. Dillon Bell,	Mr. Mantell,
Mr. Chamberlin,	Mr. Menzies,
Captain Fraser,	Mr. Paterson,
Mr. Hall,	Mr. Pharazyn,
Mr. Hart,	Mr. Russell,
Mr. Holmes,	Mr. Williamson.
Mr. J. Johnston,	

#### NOES.

Colonel Brett,	Mr. Ngatata,
Mr. Buckley,	Mr. Nurse,
Dr. Grace,	Mr. Peacock,
Lieut.-Colonel Kenny,	Major Richmond, C.B.,
Mr. Lehmann,	Mr. Robinson,
Mr. Miller,	Colonel Whitmore.

The motion was consequently agreed to.

#### PRIVATE BILLS.

The Hon. Mr. HART, in moving the motion standing in his name, thought it must be obvious to every member of the Council that a number of Bills of a local character came before the Council, particularly towards the end of the session, which could not receive that consideration which they ought to receive if they were to be intelligently passed; and the circumstance that they came before the Council when so many other Bills of a serious character demanded consideration as to their meaning, sense, and bearing, necessarily made it a matter of haphazard whether they were passed or not, because the Council did not like to pass any measures without understanding them and thoroughly appreciating their objects. In the Imperial Parliament, Bills of this kind were introduced after a certain amount of pre-

vious ceremony. Notices of the intention to introduce them were published, and they were introduced within a certain period after the commencement of the session. They had to undergo a certain scrutiny before they were submitted to the House, and after undergoing that scrutiny they were rejected or proceeded with in accordance with the result of the scrutiny. Here they had none of those safeguards. These Bills were introduced as public Bills. They were examined or were not examined, as the case might be, and the Council was called on to pass them at a late period of the session, when it could not possibly give proper attention to them. He would not discuss the matter further. The mischief which the motion was intended to remove must have made itself obvious to every member of the Council who had given himself the trouble near the end of the session to study Bills which certainly ought to have been introduced at the beginning of the session.

Motion made, and question proposed, "That, in the opinion of this Council, it is desirable that a Committee should be appointed at the commencement of every session, to act with a similar Committee appointed by the House of Representatives, to whom should be referred for examination and report all local Bills. Such Committee to have power to call for persons and papers. That the Standing Orders should provide that all local Bills shall be introduced into Parliament within the first four weeks of each session. And that such reference should in each case be, of course, upon the first reading of the Bill. That it be referred to the Committee on Standing Orders to frame the necessary additions thereto. That the Hon. the Speaker be requested to communicate with the Speaker of the House of Representatives on the subject of these resolutions."—(*Hon. Mr. Hart.*)

The Hon. Major RICHMOND said the Standing Orders Committee were at present engaged in the consideration of a very similar matter; and he would therefore move, That the matter be referred to the Standing Orders Committee.

The Hon. Mr. MANTELL understood the purport of the amendment to be that the resolution, before being adopted by the Council, should be referred to the Standing Orders Committee. That was a course which would commend itself to the consideration of honorable members at once. There were many points in the resolution to which he had serious objections. In the first place, he doubted very much whether they should hurriedly adopt the suggestion to appoint a Joint Committee. Then, again, the definition of what should be held to constitute local Bills would require much more careful consideration than would be secured by the adoption of this resolution. To the last two lines of the resolution he should altogether object, because he imagined that this resolution, or any other of a similar purport, was of such importance that, instead of being left to the Speaker of the Council to communicate with the other branch of the Legislature, it should be transmitted to the House of Representatives with a message asking their concurrence. The amendment of the Hon.

Major Richmond would meet all his objections; and not only that, but he hoped it would meet the views of the Hon. Mr. Hart.

Amendment agreed to.

#### EDUCATION BILL.

This Bill was recommitted.

The Hon. Dr. GRACE moved the following new clause: "At every election for a School Committee every voter shall be entitled to a number of votes equal to the number of the Committee to be elected, and may give all such votes to one candidate or may distribute them among the candidates, as he thinks fit."

Question put, "That the proposed clause stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	14
Noes	...	...	...	...	8
Majority for	...	...	...	...	6

#### AYES.

Sir F. Dillon Bell,	Mr. G. R. Johnson,
Colonel Brett,	Mr. Mantell,
Mr. Buckley,	Mr. Pharazyn,
Captain Fraser,	Sir J. L. C. Richardson,
Dr. Grace,	Mr. Robinson,
Mr. Hall,	Mr. Russell,
Mr. Hart,	Colonel Whitmore.

#### NOES.

Mr. Chamberlin,	Mr. Miller,
Mr. Holmes,	Mr. Nurse,
Mr. Lahmann,	Mr. Paterson,
Mr. Menzies,	Mr. Peacock.

The clause was consequently agreed to, and the Bill reported to the Council.

The Council adjourned at half-past five o'clock p.m.

### HOUSE OF REPRESENTATIVES.

Friday, 16th November, 1877.

First Readings—Second Readings—Third Readings—Taranaki Iron-Sand—Imprest Supply Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

#### FIRST READINGS.

Wyndham Recreation Reserve Bill, Lyttelton Harbour Works Compensation Bill, Westland and Nelson Coal Fields Administration Bill, Cemeteries Management Bill, Lyttelton and Heathcote Recreation Bill.

#### SECOND READINGS.

Westland and Nelson Coal Fields Administration Bill, Waikato Hospital Reserves Bill, Walsh and Others Pension Bill.

#### THIRD READINGS.

Waikato Hospital Reserves Bill, Walsh and Others Pension Bill.

Hon. Mr. Mantell.

### TARANAKI IRON-SAND.

Mr. KELLY asked the Government, What action they intend to take with reference to the report of the Public Petitions Committee in the case of the petition of the Chairman of the New Zealand Titanic Steel and Iron Company (Limited)? The company was entitled to 5,000 acres of land upon compliance with certain conditions specified in the Act of 1874, but the Government had been advised that the grant could not be issued, the conditions not having been fulfilled. The chairman of the company petitioned the House, and the petition was referred to the Public Petitions Committee, who found that the conditions had not been complied with, and recommended, in consequence of the large expenditure the company had gone to, that, if they produced 100 tons of iron within a time to be fixed by the Government, the grants should issue. The question was now in abeyance, and he wished to know what the Government intended to do in the matter.

Sir G. GREY did not think the Government had power to issue the grant unless the existing Act was first altered. The Government concurred in the report of the Committee, and would endeavour to give effect to it.

### IMPREST SUPPLY BILL.

This Bill was read a first, second, and third time.

The House adjourned at half-past five o'clock p.m.

### LEGISLATIVE COUNCIL.

Monday, 19th November, 1877.

First Readings—Second Readings—Defences of the Colony—Education Bill—Taranaki County Reserves Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

#### FIRST READINGS.

Walsh and Others Pension Bill, Mines Bill.

#### SECOND READINGS.

Balclutha Athenæum Bill, New Plymouth Reserves Bill, Little River Church Site Bill.

#### DEFENCES OF THE COLONY.

The Hon. Colonel BRETT asked the Hon. the Colonial Secretary, When the Government expect Sir William Jervois and Colonel Scratchley will arrive in Wellington to examine into the defences of the colony? Sir William Jervois having been appointed Governor of South Australia, and Colonel Scratchley having been appointed Master of the Mint of Victoria, he was under the impression that the services of these distinguished officers would no longer be available for the Government of New Zealand for the purpose of examining into the defences of the colony. He therefore wished to ask the Colonial

Secretary if he was right in supposing that such was the case, or whether it would be possible to obtain the services of those gentlemen, and, if so, when they would be expected to arrive in New Zealand.

The Hon. Colonel WHITMORE said that His Excellency the Governor, at the request of Ministers, telegraphed to the Secretary of State to obtain the services of Sir William Jervois and Colonel Scratchley some months ago. Since the arrival of Sir William Jervois in Australia correspondence had taken place between His Excellency and Sir William Jervois, resulting in a promise that Sir William would visit New Zealand about the middle of December next, commencing his examination in the South and proceeding North. Sir William Jervois said that he would write again, giving the exact date of his intended arrival in New Zealand. He was to visit Tasmania first, and, of course, would not come to New Zealand until he had completed his examination and report on the defences of that colony. The Government would make due provision for his visit on the Estimates.

#### EDUCATION BILL.

The Hon. Colonel WHITMORE moved the recommitment of this Bill, for the purpose of reconsidering clause 63. This course was rendered necessary because the Council had passed a new clause, enacting that cumulative voting by ballot should be the method of electing members of School Committees. The 63rd clause of the Bill provided that the electors present at the annual meeting "shall proceed to elect, either by show of hands or by ballot, as shall be determined upon by the said meeting." The two clauses were therefore incompatible, and, as the new clause had been affirmed by a majority of the Council, he presumed that the clauses must be made to coincide.

The Hon. Mr. MENZIES wished to bring the following point under the notice of the Hon. the Speaker. On the 4th October the Hon. Colonel Whitmore proposed that the principle of cumulative voting should obtain in the election of members of the Board, but the proposal was rejected by a considerable majority. On the 7th November the Hon. Dr. Grace proposed that the cumulative principle should be introduced into the election of School Committees. That proposal was also negative. On the 16th November the Hon. Dr. Grace brought forward substantially the same proposal. The language of the proposal was not identical, but substantially it was a proposal that the cumulative principle should be introduced into the election of School Committees. The point which he wished to bring under the notice of the Hon. the Speaker was whether these repeated proposals did not infringe the 136th Standing Order. He brought the matter under the consideration of the Chairman of Committees when the Bill was in Committee, and the Chairman ruled, with perfect justice, that, as the matter had been remitted to the Committee by the Council, the Committee had no power to deal with the question. The Standing Order was to this effect: "No question

or amendment may be proposed which is the same in substance as any question or amendment which, during the same session, has been resolved in the affirmative or negative." Looking at the fact that the question agreed to in Committee on Friday last was the same in substance as one proposed by the Hon. Dr. Grace on the 7th November, which was then rejected, he wished to know whether the renewed motion of Friday last was not in violation of the Standing Order.

The Hon. Sir F. DILLON BELL said there was no doubt that, after a Committee had passed a proposition in the affirmative, the Bill might be recommitted, and the same proposition negatived, or *vice versa*. A Committee might alter or vary any provisions in a Bill on recommitment. The rule to which the Hon. Mr. Menzies referred applied only to substantive questions which came before the whole Council.

The Hon. Major RICHMOND said the ruling which he gave on Friday evening was given on the principle that objection should have been taken to the proposal before the Bill went into Committee. The Council having remitted the clause for the consideration of the Committee, the Committee, he held, would not have been justified in refusing to consider the proposal on the ground that it was identical with a proposal that had already been rejected by the Council.

The Hon. the SPEAKER said he did not take any action in reference to the point raised, because neither he nor the Council could interfere unless the question were remitted for the decision of the Council, which was not done in this particular case. The 136th Standing Order said, "No question or amendment may be proposed which is the same in substance as any question or amendment which, during the same session, has been resolved in the affirmative or negative." But if his honorable friend Mr. Menzies would look at the head of the page he would find that the Standing Order came under the heading "Orders of the Day, Motions, &c.;" but it had always been an accepted rule in the Council that any and every proposal might be affirmed or negatived again and again during the several stages of a Bill.

The Hon. Mr. HALL pointed out that the date fixed in clause 64 at which the annual elections of School Committees should take place would be very inconvenient for people resident in the country districts. It was suggested during the discussion on the Bill that as early a period as the beginning of January should be fixed, if he recollected aright, and the Colonial Secretary promised that the subject should receive consideration. If his honorable friend had considered the matter, and had no strong reason to urge against it, he hoped the time fixed for the elections would be altered.

The Hon. Mr. BUCKLEY moved, That clause 8 should also be considered when the Bill was recommitted, with the view to its excision.

The Hon. Sir F. DILLON BELL hoped the Council would not hastily interfere with the

decision arrived at in regard to an appropriation clause. If the Hon. Mr. Buckley objected to the decision come to, his best course would be to move that the Bill be discharged.

The Hon. Dr. POLLEN said the Bill had had so many narrow escapes during its progress through the Council that those who desired to see it passed would be acting prudently to allow it to be read a third time, leaving any necessary corrections to be made in another place or by Conference. The safest course for the Council to adopt now, assuming it to be the desire of honorable gentlemen that an Education Bill should be passed, would be to allow it for this year to pass through the General Assembly with whatever imperfections it possessed. If there were any further delay, and any difficulty were to be created between the two Houses about the 8th clause, the best thing to be done would be, as the Hon. Sir F. Dillon Bell had suggested, to move the discharge of the Bill.

The Hon. Dr. GRACE was rather amused that his honorable friend Dr. Menzies, who was so tired of the subject, should move the recommitment of the Bill for the purpose of discussing the cumulative principle. It was unreasonable that the honorable gentleman, who was so much dissatisfied with him (Dr. Grace) for having persisted in bringing the subject forward, should now recommit the Bill to bring it forward himself.

The Hon. Captain FRASER said the people of Otago had paid as much as £17,000 in school fees, and paid it most willingly. They would be ashamed to accept any charitable system of education.

The Hon. Mr. MILLER said they had discussed the question *ad nauseam*. If they wished to impose these capitation-fees they could easily do so at some future time. The Bill would not be like the laws of the Medes and Persians; it could be altered at any time. He thought, on the other hand, that the cumulative principle might be tried for one year. It was carried by a bare majority after a good deal of argument, and, although he had voted against it, he was prepared to let the majority have its way. The Council had better let the Bill be read a third time. He did not quite know why the Hon. the Colonial Secretary wished them to go into Committee.

The Hon. Colonel WHITMORE explained that the 63rd clause provided for the election of Committees either by a show of hands or by ballot; but another clause which had been passed provided that the Committee should be elected by ballot according to the principle of cumulative voting. He did not see, therefore, how the 63rd clause could be left in its present position.

The Hon. Mr. MILLER said that was a matter of detail, and he had no objection to go into Committee on that clause.

Question put, "That the Bill be recommitted for the reconsideration of clause 8;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	11
—					
Majority for	...	...	...	...	1

Hon. Sir F. Dillon Bell

#### AYES.

Sir F. Dillon Bell,  
Colonel Brett,  
Mr. Buckley,  
Captain Fraser,  
Dr. Grace,  
Mr. Hall,  
Mr. Hart,  
Lieut.-Colonel Kenny,  
Mr. Ngatata,  
Mr. Peacock,  
Mr. Pharazyn,  
Mr. Robinson.

#### NOES.

Mr. Chamberlin,  
Mr. Holmes,  
Mr. Lahmann,  
Mr. Menzies,  
Mr. Miller,  
Mr. Paterson,  
Dr. Pollen,  
Major Richmond, C.B.,  
Mr. Russell,  
Colonel Whitmore,  
Mr. Williamson.

Motion agreed to. The Bill was consequently recommitted.

#### IN COMMITTEE.

Clause 8.—Expenses of administering department to be appropriated by General Assembly.

The Hon. Mr. BUCKLEY moved, That this clause be struck out.

Question put, "That the clause proposed to be omitted stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	10
Noes	...	...	...	...	12
—					
Majority against	...	...	...	...	2

#### AYES.

Mr. Chamberlin,  
Mr. Holmes,  
Mr. Lahmann,  
Mr. Menzies,  
Mr. Nurse,  
Mr. Paterson,  
Dr. Pollen,  
Mr. Russell,  
Colonel Whitmore,  
Mr. Williamson.

#### NOES.

Sir F. Dillon Bell,  
Colonel Brett,  
Mr. Buckley,  
Captain Fraser,  
Dr. Grace,  
Mr. Hall,  
Mr. Hart,  
Lieut.-Colonel Kenny,  
Mr. Ngatata,  
Mr. Peacock,  
Mr. Pharazyn,  
Mr. Robinson.

The amendment was consequently agreed to, and the clause struck out.

Clause 63. — Election of School Committees. Proceedings at meeting.

The Hon. Colonel WHITMORE moved, That the following words be omitted from the clause: "either by show of hands or."

Question put, "That the words proposed to be left out stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	12
—					
Majority against	...	...	...	...	1

#### AYES.

Mr. Chamberlin,  
Captain Fraser,  
Mr. Holmes,  
Mr. Lahmann,  
Mr. Menzies,  
Mr. Nurse,  
Mr. Paterson,  
Mr. Peacock,  
Mr. Pharazyn,  
Dr. Pollen,  
Mr. Williamson.

## NOES.

Sir F. Dillon Bell,	Lieut.-Colonel Kenny,
Colonel Brett,	Mr. Miller,
Mr. Buckley,	Mr. Ngatata,
Dr. Grace,	Mr. Robinson,
Mr. Hall,	Mr. Russell,
Mr. Hart,	Colonel Whitmore.

The amendment was consequently carried, and the clause as amended agreed to.

Clause 65.—Cumulative voting at election of School Committees.

The Hon. Mr. MENZIES moved, That the clause be struck out.

Question put, "That the clause proposed to be struck out do stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	14
Noes	...	...	...	...	7
Majority for	...	...	...	...	7

## AYES.

Sir F. Dillon Bell,	Mr. Miller,
Colonel Brett,	Mr. Ngatata,
Mr. Buckley,	Mr. Pharazyn,
Captain Fraser,	Sir J. L. C. Richardson,
Dr. Grace,	Mr. Robinson,
Mr. Hall,	Mr. Russell,
Mr. Hart,	Colonel Whitmore.

## NOES.

Mr. Chamberlin,	Mr. Menzies,
Mr. Holmes,	Mr. Paterson,
Lieut.-Colonel Kenny,	Mr. Peacock.
Mr. Lahmann,	

The motion was consequently negatived.

## TARANAKI COUNTY RESERVES BILL.

The Hon. Mr. HALL, in moving the second reading of this Bill, said its object was to vest in the County of Taranaki certain reserves which had been made for the improvement of roads in the Tarururangi, Hua, and Waiwakaiho Road Districts. He held in his hand a *Gazette* under which these reserves were made, but since that had been done the roads had been included in the county, and the districts had petitioned to have the reserves transferred, for the purpose for which they were made, to the County of Taranaki. The Public Petitions Committee of the other branch of the Legislature recommended that the petitions should be complied with, but that one part of them should not be complied with—namely, that the county should have power to sell the reserves. The Committee recommended that power should only be given to lease the reserves for forty-two years. The object of the Bill was merely to transfer the reserves from one body to another in order to apply them to the purpose for which they were originally set apart.

Sir F. DILLON BELL merely wished to intimate that he should subject the proposal to a very careful examination when the Bill went before the Waste Lands Committee. His honorable friend said it was not proposed to change the

object for which the reserves were set apart; but, so far as he understood the matter, the object was distinctly different. The original reserves were made for the improvement of the roads in the Tarururangi, and Hua and Waiwakaiho Districts. The Bill provided that the reserves should be handed over to the Taranaki County Council in trust for the improvement of the "Junction Road." As he had before said, he should now watch with jealousy any attempts to divert reserves from their original purposes.

The Hon. Mr. HALL could only say that the reserves were set apart for the improvement of roads in the district mentioned, and they were now to be applied for the improvement of the Junction Road, in the same county. He assumed that the Junction Road was part of the original district; but, of course, if there was any substantial difference in the matter, it would be carefully inquired into by the Waste Lands Committee.

Bill read a second time.

The Council adjourned at half-past five o'clock p.m.

## HOUSE OF REPRESENTATIVES.

Monday, 19th November, 1877.

Land Bill—Financial Statement.

Mr. SPEAKER took the chair at half-past two o'clock.

## PRAYERS.

## LAND BILL.

This Bill was further considered in Committee. Appendix G.—Land District of Canterbury.

Clause 1.—Uniform price of rural land.

Mr. STOUT moved the addition of the following proviso: "Provided always that this section shall not apply to pastoral lands set aside for sale on deferred payments."

Question put, "That the words proposed to be added be there added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	31
Noes	...	...	...	...	32
Majority against	...	...	...	...	1

## AYES.

Mr. Baigent,	Mr. Nahe,
Mr. Barff,	Mr. Rees,
Mr. Bryce,	Mr. Reid,
Mr. De Lantour,	Mr. Reynolds,
Mr. Dignan,	Mr. Sharp,
Mr. Fisher,	Mr. Sheehan,
Sir G. Grey,	Mr. Shrimski,
Mr. Hislop,	Mr. Swanson,
Mr. Hodgkinson,	Mr. Takamoana,
Mr. Hursthouse,	Mr. Thomson,
Mr. Joyce,	Mr. Tole,
Mr. Kelly,	Mr. W. Wood,
Mr. Lumsden,	Mr. Woolcock.
Mr. Macandrew,	<i>Tellers.</i>
Mr. Manders,	Mr. Ballance,
Mr. Murray,	Mr. Stout.



## NOMS.

Major Atkinson,  
Mr. Beetham,  
Mr. Bowen,  
Mr. J. E. Brown,  
Mr. Bunney,  
Mr. Curtis,  
Sir R. Douglas,  
Mr. Gibbs,  
Mr. Gisborne,  
Mr. Harper,  
Dr. Henry,  
Mr. Hunter,  
Mr. Larnach,  
Mr. McLean,  
Captain Morris,  
Mr. Ormond,  
Mr. Richardson,

Mr. Richmond,  
Mr. Rowe,  
Captain Russell,  
Mr. Stafford,  
Mr. Stevens,  
Mr. Sutton,  
Mr. Tawiti,  
Mr. Teschemaker,  
Mr. Travers,  
Mr. Wakefield,  
Mr. Wason,  
Mr. Whitaker,  
Mr. Williams.

## Tellers.

Mr. Murray-Aynaley,  
Mr. Rolleston.

## PAIRS.

## For.

Mr. J. C. Brown,  
Mr. Hamlin,  
Mr. Montgomery,  
Mr. Seaton.

## Against.

Mr. Johnston,  
Mr. Moorhouse,  
Mr. Pyke,  
Mr. Brandon.

The amendment was consequently negatived.

Bill reported to the House with amendments.

## FINANCIAL STATEMENT.

On the motion, That the House go into Committee of Supply,

Mr. LARNACH said, — Mr. Speaker: Sir, the Hon. the Premier, a few evenings ago, in his statement of the proposed future policy of the Government, informed the House that it was our desire to consolidate the administrative system of the colony, and to introduce a clear, comprehensive, economical, and stable plan of finance. This, Sir, is a work on the advisability of which I think all honorable members must agree; and all will no doubt agree that a work of such a nature cannot be properly accomplished without full consideration. Under these circumstances, there are two courses open to us:—

Firstly, to ask the House to vote supplies for a period of three or four months; to adjourn; to meet again at an early period of next year,—when we should be enabled to place all our plans before you in a matured form,—and then to take your verdict upon them; or,

Secondly, to take up the Estimates of the late Government, make such modifications in their proposals as we might deem necessary, and occupy ourselves during the recess in fully reorganising and consolidating the present financial and departmental systems of the colony.

Sir, the latter is the course which we have determined to adopt. At the same time that we resolve to do this, the House has a right to expect that we should at least indicate our views upon the present financial condition of the colony, the character of the changes we propose to make, and the necessity that, in our opinion, exists for making those changes.

Mr. Stout

## THE FINANCIAL STATEMENT OF THE LATE COLONIAL TREASURER.

The late Colonial Treasurer has laid before this House an elaborate Financial Statement, furnished with all the tables and returns that usually accompany such an important document. I therefore, Sir, feel myself somewhat relieved of the duty of entering to any great extent into minute details. I will at once admit, Sir, that it would be impossible for me to attempt to place more clearly before this House than the late Hon. Colonial Treasurer has done, all details in reference to the different loans which this colony has from time to time contracted; nor have I the time or the means, at this very late period of the session, to revise them. The Government has no other course to adopt but to accept them. So, also, with regard to the expenditure: anxious as we are to effect changes of system by means of rearrangement, economy, and consolidation, yet—as more than one-third of the present financial year has already elapsed, and as much patient inquiry is requisite to prevent changes and reorganization of this kind becoming mischievous and even dangerous to the public service—I feel that I have no other course open to me at the present time than to accept the estimates of expenditure nearly as they appear in the tables recently submitted by the late Treasurer. If, however, by the circumstances of the case I am necessarily precluded from dealing with details, I ask the attention of the House for a short time whilst I endeavour, from my point of view, to indicate briefly the tendency of our present system of finance, the evils to which it is rapidly leading, and the only available remedy that I can see possible to enable this colony, without imposing enormous burdens upon the people, to maintain its credit, and to bring to a successful issue the great policy of Immigration and Public Works to which the colony is pledged by the contracts it has entered into in relation to the works that are in progress—besides the promises of works to be initiated.

## EARLIER MEETINGS OF PARLIAMENT NECESSARY.

One striking defect in the present system of conducting the public expenditure is, that the General Assembly frequently meets some time after the commencement of a new financial year. After the meeting of Parliament, a period of several months sometimes elapses before the Act of Appropriation passes the Assembly.

Under such a system the expenditure is conducted without any appropriation having been made; and is incurred solely upon the authority of Imprest Supply Acts, which direct the moneys to be charged in a manner thereafter to be expressed in the appropriation of the year. From this it results that the Government is able to incur any expenditure it pleases, by simply placing on an Estimate any amount for any service which it thinks proper to undertake; and the duty of the Assembly resolves itself rather into the ratification of expenditure incurred during several months of the year than a careful watching of amounts which it is asked to vote. To cure this system, one of the duties of

the present Government will be either to alter the time of the commencement of the financial year, or to take care that the Assembly meets at an earlier period, say not later than the first week in June.

#### TREASURY BILLS AND OTHER FLOATING DEBTS.

Sir, in the financial year 1874-75 there were outstanding Treasury bills—that is, loans raised to meet deficiencies in the revenues of previous years, and chargeable on the Consolidated Fund—to the extent of £400,000. That amount was due and payable in that year; but the Consolidated Fund was unable to bear so large a charge. It was, however, hoped that this sum might be gradually reduced by the payment out of revenue of £100,000 per annum until the whole amount was extinguished. If that sanguine expectation had been realized, there would be outstanding now only £200,000 of Treasury Bills, of which sum a moiety would vanish concurrently with the present financial year; but the present tendency is in an opposite direction, for the amount of Treasury bills in existence is now above £800,000—more than double the original sum referred to of 1874-75, and, instead of there having occurred any decrease in this particular form of the colony's indebtedness, the original sum may now safely be multiplied by two. Not only have we been unable out of the superfluities of the present to pay off the deficiencies of the past, but the necessities of the present have shown themselves to be far greater than before, and the charge upon the Consolidated Fund has now become so large that to meet these Treasury bills out of the Fund upon which they are by law a proper charge appears to me to be hopeless. In the year 1875-76, a further issue of Treasury bills was requisite in aid of revenue to the amount of £172,000. In the last year, a further issue of £260,000 became necessary; and the late Colonial Treasurer proposed to repeat a similar temporary borrowing this year "as a receipt in aid," but for this occasion the Fund upon which the advance is to be secured is not the Consolidated Fund or the ordinary revenue of the colony, but the Land Fund of the Provincial District of Otago. A similar loan would have been raised on the security of Canterbury, had it not been found possible to take £58,000 in cash from its territorial revenue. Such a condition of affairs as this, Sir, is not considered by us in any way satisfactory. There appears to be a sad want of that equilibrium—that evenness of balance—in our financial system which, before all things, must exist if we intend to maintain our position as a solvent State, our reputation as prudent, careful colonists, and, above all, our credit in the English money market.

#### OUR POSITION WITH REGARD TO PROVINCIAL LIABILITIES.

Nor, Sir, is this all: if it were, perhaps it would not be so difficult to secure an even balance between our means and our requirements as, I fear, may possibly be the case—or, to use a homely phrase, to learn how to make both ends meet.

Last session this House finally determined to abolish the provincial system, and in so doing had to make all provincial liabilities colonial liabilities, for which this House has to make provision. The burden which has been undertaken by that policy is, in my opinion, greater than was ever anticipated. The difficulty of ascertaining the amount of provincial liabilities seems to be very great, and that of finding the means wherewith to liquidate them when ascertained seems to me to be still greater.

Up to the 30th June last, the sum of £237,500 had been advanced from loan to meet payment of provincial liabilities, and there existed on that date, overdrafts at the bank on Provincial Account, the sum of £105,888, or an aggregate sum of £343,388, which total may be reduced by £45,888, being the amount of balances in hand to meet liabilities on Provincial Account, thus leaving still unsupported the sum of £297,500.

Sir, so much I have said for the period up to the 30th June last, and from that time I may be allowed to travel upon a different and perhaps more uneven track. There are known to be, at the date on which I am now speaking, still further liabilities on Provincial Account outstanding, amounting to £279,766, reducible by about £30,000 due from Land Fund and other sources, leaving a total to be provided for in some manner of £249,766. And the House, I think, will agree with me that still further liabilities in this direction will yet most surely present themselves. In the statement of these liabilities, which I found in preparation for the late Treasurer, they appear to reach a total of £660,000.

There is a sum of £100,000 to be paid in September next to the Wellington Trust and Loan Company, for money lent to carry on the important reclamation improvement undertaking on the foreshore of the harbour of this city. It is true that the work contracted for promises undeniably to be a reproductive one. The land is security for the outlay, and very good security too; but still, Sir, the works are not yet finished, and are not likely to be completed before or on the date upon which the payment becomes due, and it can hardly be expected that sales to any extent of sections can take place for some time to come. The money, no doubt, can be re-borrowed upon the same security, perhaps even on better terms than originally; and, if there were no greater difficulties to face than this, my task would be much easier than I apprehend it will be.

From the Statement of the late Colonial Treasurer the House will have seen that there remain no available balances from loans upon which I can pretend permanently to charge any of these payments; but, on the other hand, it is absolutely necessary to go into the money market, under disadvantageous circumstances, to borrow still further; and, to attempt to do so upon anything like reasonable terms, we must be prepared to show a state of finance characterized by soundness and stability.

#### UNSTABLE CHARACTER OF RECENT COLONIAL FINANCE.

I ask, Sir, has there been exhibited any sta-

bility in the finance of this colony during the recent past? By the Abolition Act a financial arrangement, supposed to be of a very definite and permanent character, was arrived at in reference to the Land Fund. This grand arrangement, promising durability and stability, never even saw the daylight of its existence, but fell still-born; and great difficulties would have arisen from this cause had not certain provisions in the Financial Arrangements Act of last session come to the rescue of colonial finance. These are the very provisions the late Government proposed again to alter this year; thus removing every trace of fixity and finality from the finance of the colony.

Now, Sir, to meet all these exigencies, to make the large payments on account of interest that this colony has periodically to make, to pay salaries, and to provide for the innumerable other matters that have daily to be met, what, I ask, is the present state of the Treasury chest? I have been accustomed, Sir, to deal, and I prefer to deal, with cash. It is very much more satisfactory and more convincing to deal with cash than with mere book-keeping accounts: with the latter, it is not difficult to manipulate balances; with the former, it is not easy to show two sovereigns where in reality only one exists.

#### STATE OF THE PUBLIC ACCOUNT ON OUR ENTRY INTO OFFICE.

On the 18th day of October last, the day on which this Government assumed office, there stood to the credit of the colony altogether, as shown by its banking accounts, the sum of £762,312 11s. 3d. Surely, Sir, with such an overflowing Treasury as this, the House will wonder what need there is for any financial difficulty. I shall at once proceed, Sir, to show the House of what this balance chiefly consists.

To the credit of the Consolidated Fund there was £105,563 7s. 8d.; to the credit of the Land Fund, £544,548 11s. 6d. I shall now lay before the House a full statement of cash balances in hands of bankers on the day to which I have referred, also a similar statement, for comparison, of the 16th instant, with the amounts of the balances of each one of the numerous departmental accounts.

#### THE LAND FUND—ITS PRESENT POSITION.

The whole of the Land Fund is appropriated by special enactment. The Government has no power, however large in any one year that Fund may become, to touch one shilling of it, for any purpose whatever, beyond that amount which the law places at its disposal. The whole of the residue is to be distributed in certain defined proportions to the counties of the respective provincial districts in which it is raised. An accumulated and excessive Land Fund, under the present laws of this colony, can never be used by the Government, even temporarily, in aid of a deficient Colonial Treasury. The land sales this year, I feel pleasure in saying, will be largely in excess of the sum estimated by the late Government. Their estimate was £743,000. To September 30th, there had actually been paid into the Treasury the sum of £542,231 19s. 4d.

*Mr. Larnach*

I do not mean to say that I anticipate four times that sum as the land revenue for the year, but I think it is quite reasonable to suppose that the respectable total of one million will be realized. After paying all subsidies to Municipalities, Road Boards, &c., as provided by law, the residue, however large, has to be paid to the County Councils.

I beg to call the attention of the House to the fact that, while the Land Fund receipts have on the whole been largely in excess of the estimate, that excess has entirely arisen from the large sums realized in the Provincial District of Canterbury, while in the other provincial districts the amount realized has been much under the estimate.

#### PROPOSALS REGARDING FUTURE DISPOSITION OF THE LAND FUND.

Sir, although the land revenue has nominally been regarded and treated as provincial revenue, yet, in point of fact and actually, it has, by various enactments during the past few years, been gradually encroached upon and absorbed to such an extent that, in reality, the idea that a large proportion is available for localization is a delusion, only calculated to mislead the minds of the people as to the real position of affairs—such proportion not being for the most part derived from actual land sales, but from Treasury bills. Under such circumstances, it is desirable that the subject should be placed upon a more certain and satisfactory footing: with which view, and for the purpose of simplifying the Public Accounts, we propose to do openly and straightforwardly that which our predecessors in office have hitherto been doing indirectly and disingenuously. Sir, we mean to make the Land Fund colonial revenue, subject to all the obligations which the colony has undertaken in respect thereof, such as cost of administration, cost of survey, immigration, interest on provincial loans, and so forth. It is our intention, however, that 20 per cent. of the land revenue shall be localized by law for the purpose of being expended by the local authorities on roads, bridges, and public works within their respective districts; and, further, we shall ask Parliament to agree to one uniform land law, whereby the public estate, subject to classification, shall be sold at uniform prices throughout the colony, whether on a system embracing free selection, deferred payments, or otherwise.

Sir, I wish it also to be understood that, if administrative reforms and reduction of expenditure can be effected to an extent which may allow of any increase of the proportion of 20 per cent. referred to, such proportion shall have the benefit of it accordingly.

On this subject I desire to add that, while the circumstances into which the colony has been permitted to drift render it imperative that the land revenue should be dealt with as we have just proposed, my colleagues and myself fully recognize that one of the most legitimate objects to which that revenue ought to be applied is to render available for settlement the particular locality from whence it has been derived: in fact, this ought to be regarded as one of the main con-

ditions upon which the purchase-money is paid. We are therefore of opinion that, in apportioning the public revenue throughout the colony, such condition should be faithfully kept in view.

Before proceeding further, I may be permitted to say that the Government looks forward to being enabled to submit to this House next session well-considered proposals, based upon sound data, whereby important districts may be opened up and connected with the main railway lines by means of branch lines, to be constructed out of the proceeds of the land, which will be rendered valuable and accessible by such branch lines. There are at present, as honorable members are aware, extensive areas of public territory throughout the colony which are unavailable for settlement, and which must continue to be so until rendered accessible by railways or roads. This is a matter in respect to which the Government looks with favour upon the action that has been taken during the present session by private members. We are of opinion, however, that it is a subject which, in the future, ought to be dealt with by the Government, and we shall be prepared to devote to it that consideration which its importance deserves.

#### MAINTENANCE AND REPAIR OF MAIN LINES OF ROADS AND BRIDGES.

The Government has daily, since in office, had brought under its notice the necessity of taking some steps to protect and keep in repair the main roads and bridges of the colony; and, although, by the legislation of last year, the counties were created to do this work, I regret to say they have been unable in too many cases to grapple with the difficulties of the task thereby imposed upon them; and, if the Government, after due consideration, find it to be to the interest of the colony that it should undertake the work, it will not fail to do so, even if a portion of the subsidies payable to any local bodies benefited by any particular road or public work may have to be diverted for that purpose.

#### REDUCTION IN DEPARTMENTAL EXPENDITURE.

Some interest has been excited by that portion of the Hon. the Premier's Statement which had relation to a reduction in the salaries of Ministers. There is a very laudable curiosity abroad as to the extent and nature of these proposed reductions, which I desire at once to gratify. In the year 1873, the salaries of Ministers were raised from the sum of £1,000 per annum each to £1,750 for the Premier, and £1,250 each for other Ministers. We shall propose a revision of the Civil List, and we shall ask the House to fix the Premier's salary at £1,000, and the salary of each of the other Ministers at the same amount. We propose to sell—not privately—one of the steam-vessels now the property of the Government. The Public Accounts Committee report on the advisability of selling the "Hinemoa;" but, before determining which boat to dispose of, we shall be guided by careful and sound advice from officers practically qualified to give it.

In dealing with the Civil List it will be our object to maintain the efficiency of the Public

Service, and not to cut down salaries of necessary officers, but to consolidate offices as much as possible. In this direction we have reason for believing that much can be done towards effecting a very large saving in the annual expenditure of the colony.

#### RAILWAY MANAGEMENT.

We look forward to an early report from the Committee appointed at the beginning of the session to inquire into railway management, from which we expect to obtain much valuable information for our future guidance in the conduct of the most important of the public works of the colony. In whatever direction the report may point, we shall be prepared to give it most serious consideration, and to inform the House of the result of our deliberations. A Commission appointed during the recess to inquire into the management of the Auckland lines reported very strongly in favour of leasing them. If the recommendations of the Commission referred to are supported by the report of the Committee, we shall not hesitate, either in regard to the Auckland lines or any other of our railways, to ask this House to favourably consider them, with a view of effecting a saving in the colonial expenditure, as we believe there is room for considerable reduction in the cost to the colony of its present system of railway management.

#### PROVISION FOR RECONSTRUCTION OF LINES.

While dealing with the question of our railways, I am compelled to call the attention of the House to a matter of the most serious importance. We have been accustomed for the last two or three years to hear of revenue derived from railways, but that revenue was simply the balance of profit after deducting the cost of ordinary maintenance and working expenses from the gross receipts. The necessity of providing for the renewal of the various lines—a point in respect of which the fullest and most careful provision has always been made in the great railway system of the mother-country—has in our case been entirely overlooked. It is impossible to over-estimate the serious significance which this absolute necessity will have on our future finance. With our system of light narrow-gauge railways, the question of renewal is much more important than it is at Home. At this late period of the session we cannot propose to deal with the matter, but it will form a leading feature in our Public Works policy of next year.

#### PROPOSED NEW LOAN.

Sir, I desire, before I conclude, to say a few words upon the views of the Government as to the extent of the further borrowing powers to which we shall have to ask the Committee to assent. It has not been easy, in the midst of the hurry of the session, with all the political and departmental business appertaining to offices on my hands, to have met you with a statement of our views on this subject to-night; nor has it been less difficult for my honorable colleagues and myself to arrive at a determination as to the sum necessary to be borrowed to meet our present requirements.

Sir, it is our intention to ask the House to consent to a loan of £4,000,000, feeling assured that the whole of this amount will be wanted. We propose, Sir, to redeem the guaranteed debentures, to provide for our public works, for provincial liabilities, for other necessities of the year, and for all floating debts now due by the colony; but there is also the million due to the two banks, which we have not provided for here. At present we have loans raised in London, loans raised in Sydney, loans raised in this colony, and we have the Treasury bills before referred to. The Government deem it desirable that this system should cease, and that there should be but one sort of funded colonial indebtedness for this colony, showing at a glance the entire debt; one current or working account, showing our annual revenue and expenditure under their several principal heads; and that the numerous small and mystifying accounts and balances at present existing under the heading of the Public Account should be done away with; and that we should, as far as possible, have but one creditor—I mean the London money market. The practice of concealing—perhaps unintentionally—the amount of the colonial indebtedness by the issue of Treasury bills, and the raising of temporary loans in the colonies, has an effect even worse than imposing directly on the Home creditor. It encourages the people of this colony to fancy their liabilities to be smaller than they really are, and to agitate for a greater expenditure than the colony can afford. Fuller details of these questions will be given when the Loan Bill is brought down.

#### TAXATION.

We shall, however, during the recess, seriously address ourselves to the consideration of large reductions in the public expenditure, which, we have reason for believing, can be carried out, and we will also earnestly consider the question already discussed in this House of altering the present system of taxation in this colony, with the view of more equally and fairly distributing its burdens upon the whole community.

Should our land receipts keep up, I apprehend that it will not be necessary to attempt to raise a larger revenue from the people than is now drawn from them, but, should that source of revenue fall off, we must be prepared to submit to heavier burdens, to meet our obligations to our creditor, and conduct the business of the country. After the experience to be gained during the recess, we shall be in a better position to offer an opinion on the subject when Parliament meets next year.

#### ACTUAL PRESENT POSITION OF RECEIPTS AND EXPENDITURE.

With this Statement I propose to lay before the House a table, marked No. 1, showing the estimated revenue from all sources, including land, and the expenditure for the present year, based upon the state of things which the Government found in existence upon taking office. This document is worthy the attention of the House:

The estimated revenue appears...	£3,699,026
The expenditure ...	4,410,238
The deficiency therefore is ...	711,212

If the revenue as stated above falls short of the estimated amount, as is not improbable, that deficiency will be proportionally increased.

I also lay before the House a table, marked No. 2, showing, without the Land Fund, the estimated revenue and expenditure for the same period. This is a very important table, and from it will be gathered at a glance our true financial position, as we are at present conducting the business of the country.

It will be observed that the present daily expenditure of the colony is in excess of its estimated revenue—minus the land revenue—£1,926. I feel it my duty to call the attention of honorable gentlemen to this state of things, and to ask for their earnest consideration of the subject.

#### CONCLUSION.

Sir, in making this Statement, I do so with feelings of great diffidence. My position here is not of my own seeking, nor is the business I am now engaged in that towards which my tastes and inclinations would willingly have led me. So far as my humble abilities have served to guide me, I have cheerfully given my most earnest attention, with as much time as I had at my disposal, to the subject of our finance. My future aim will be to endeavour to arrange a system that may prove stable, that will secure a state of equilibrium between our revenue and our expenditure, that will be of a character sufficiently fair not to excite the cupidity of one portion of the country or the envy of another; and, as this House in its wisdom has determined, and the colony at large has agreed in that determination, to try to bring the whole of this country—differing as it does in common interests, in the manner of its colonization, and in its topographical features—under one united Government, so will it be the object of my colleagues and myself to assist in the realization of this effort by simplifying and regulating our too abundant partnership accounts, and introducing a system of united finance, without which a wholesome united Government is impossible.

## TABLES referred to in foregoing Statement.

## CASH BALANCES—

*At Close of Business on Saturday, 18th October, 1877.*

							£	s.	d.
Cash in the Public Account,—									
In London	...	...	...	...	...	...	Dr. 60,299	8	0
In the Colony	...	...	...	...	...	...	822,611	19	3
Total	...	...	...	...	...	...	<u>£762,312</u>	<u>11</u>	<u>3</u>

							£	s.	d.
Consolidated Fund ...							105,563	7	8
Special Funds,—									
Consolidated Loan	...	...	...	...	...	...	33,530	17	8
Defence and Other Purposes Loan	...	...	...	...	...	...	34,312	19	1
Public Works Account	...	...	...	...	...	...	Dr. 148,701	2	9
Waitara Bridge Endowment Account	...	...	...	...	...	...	11	10	0
Wellington Debts Act Redemption Account	...	...	...	...	...	...	3,257	9	4
North Otago District Public Works Loan	...	...	...	...	...	...	1,168	8	10
Westland Loan Act Redemption Account	...	...	...	...	...	...	95	2	10
State Forests Account	...	...	...	...	...	...	2,226	18	3
Provincial Liabilities Account,—									
Auckland	...	...	...	...	...	£61 5 6			
Taranaki	...	...	...	...	...	9 18 7			
Wellington	...	...	...	...	...	4,718 14 6			
Hawke's Bay	...	...	...	...	...	1,451 19 7			
Nelson	...	...	...	...	...	4,264 19 10			
Marlborough	...	...	...	...	...	8 10 7			
Canterbury	...	...	...	...	...	12,233 11 8			
Westland	...	...	...	...	...	Dr. 346 15 3			
Otago	...	...	...	...	...	11 10 11			
							22,408	15	11
"New Zealand Loan Act, 1876"	...	...	...	...	...	...	8,901	11	11
Counties Separate Account	...	...	...	...	...	...	10,163	7	10
Land Fund,—									
Auckland	...	...	...	...	...	£1,574 12 4			
Taranaki	...	...	...	...	...	334 1 1			
Wellington	...	...	...	...	...	1,708 8 9			
Hawke's Bay	...	...	...	...	...	5,729 0 11			
Nelson	...	...	...	...	...	219 18 6			
Marlborough	...	...	...	...	...	244 17 3			
Canterbury	...	...	...	...	...	493,025 8 8			
Westland	...	...	...	...	...	Dr. 510 0 6			
Otago	...	...	...	...	...	42,157 4 7			
Surveyor-General's Office	...	...	...	...	...	65 4 11			
							544,548	11	6
Native Land Courts Account	...	...	...	...	...	...	1,287	17	1
Gold Fields Revenue Account	...	...	...	...	...	...	569	13	2
Gold Duty Account	...	...	...	...	...	...	47,302	3	6
Trust Fund	...	...	...	...	...	...	195	12	10
Land Fund No. 1 Account	...	...	...	...	...	...	17	3	6
Undistributed	...	...	...	...	...	...	95,452	8	1
Suspense Account	...	...	...	...	...	...			
Total	...	...	...	...	...	...	<u>£762,312</u>	<u>11</u>	<u>3</u>

*At Close of Business on Friday, 16th November, 1877.*

							£	s.	d.
Cash in the Public Account,—									
In London	...	...	...	...	...	...	Dr. 207,776	3	7
In the Colony	...	...	...	...	...	...	437,896	7	8
Total	...	...	...	...	...	...	<u>£280,120</u>	<u>4</u>	<u>1</u>

	£	s.	d.
Consolidated Fund ... ..	25,664	14	1
Special Funds,—			
Consolidated Loan ... ..	33,530	17	8
Defence and Other Purposes Loan ... ..	33,787	1	7
Public Works Account ... ..	Dr. 239,681	19	3
Waitara Bridge Endowment Act ... ..	11	10	0
Wellington Debts Act Redemption Account ... ..	3,257	9	4
North Otago District Public Works Loan ... ..	7,569	3	11
Westland Loan Act Redemption Account ... ..	95	2	10
State Forests Account ... ..	2,226	13	3
"New Plymouth Harbour Board Endowment Act, 1874" ... ..	1,688	9	6
Provincial Liabilities Account—			
Auckland ... ..	£262	15	6
Taranaki ... ..	9	18	3
Wellington ... ..	2,877	2	0
Hawke's Bay ... ..	1,421	18	3
Nelson ... ..	3,585	8	6
Marlborough ... ..	0	10	7
Canterbury ... ..	3,821	15	7
Westland ... ..	Dr. 178	7	9
Otago ... ..	4,689	15	0
			16,290 15 11
"New Zealand Loan Act, 1876" ... ..			8,901 11 11
Counties Separate Account ... ..			61,847 16 9
Land Fund—			
Auckland ... ..	£423	11	3
Taranaki ... ..	Dr. 2,322	9	3
Wellington ... ..	955	2	3
Hawke's Bay ... ..	10,853	10	8
Nelson ... ..	200	18	9
Marlborough ... ..	123	13	0
Canterbury ... ..	261,127	9	0
Westland ... ..	288	6	4
Otago ... ..	71,025	16	10
Surveyor-General's Office ... ..	137	11	5
			342,318 9 3
Native Land Courts Account ... ..			1,425 8 7
Gold Fields Revenue Account ... ..			545 16 2
Gold Duty Account ... ..			208 3 0
Land Fund No. 1 Account ... ..			72,562 11 0
Trust Fund ... ..			Dr. 170,000 0 0
Bills Receivable ... ..			27,890 8 7
Undistributed ... ..			
Total ... ..	£230,120	4	1

TABLE No. 1.

ESTIMATE of REVENUE and EXPENDITURE for CURRENT FINANCIAL YEAR.  
REVENUE.

	£	s.	d.	£	s.	d.
Surplus Consolidated Revenue, 30th June, 1877...				148,220	0	0
Consolidated Revenue ... ..				2,263,160	0	0
Gold Revenue ... ..				72,000	0	0
Land Sales, balance 30th June, 1877 ... ..	115,846	0	0			
„ current ... ..	1,100,000	0	0			
				1,215,646	0	0
Deficiency... ..				711,212	0	0
				£4,410,238	0	0

Mr. Larnach

## EXPENDITURE.

						£	s.	d.
Consolidated Fund	...	...	...	...	...	2,394,546	0	0
Gold Revenue	...	...	...	...	...	72,000	0	0
Land Fund, fixed charges	...	...	...	...	...	643,208	0	0
„ amount distributable to Counties and Road Boards	...	...	...	...	...	533,663	0	0
<i>Supplementary Estimates.</i>								
Consolidated Fund	...	...	...	...	£112,910	0	0	
Land Fund	...	...	...	...	88,775	0	0	
						151,685	0	0
<i>Provincial Liabilities Estimate.</i>								
Overdrafts to 30th June, 1877	...	...	...	...	£106,269	0	0	
Provincial Liabilities	...	...	...	...	554,765	0	0	
						£661,024	0	0
Less Balance of Loan, 30th June, 1877	...				45,888	0	0	
						615,136	0	0
						£4,410,238	0	0

TABLE No. 2.

STATEMENT showing EXCESS of EXPENDITURE over REVENUE.

					£	s.	d.
Estimated daily expenditure in excess of estimated revenue					...	...	£1,926 0 0
Thus—							
Expenditure Consolidated Fund		...	£2,394,546	0 0			
Supplementary Estimates		...	112,910	0 0			
Provincial Liabilities		...	661,024	0 0			
				<hr/>			
			£3,168,480	0 0	Daily rate	8,658	0 0
				<hr/>			
Revenue Consolidated Fund		...	£2,263,160	0 0			
			148,220	0 0			
			45,888	0 0			
				<hr/>			
			£2,457,268	0 0	Daily rate	6,732	0 0
				<hr/>			
							£1,926 0 0

## MEMORANDUM.

Otago North District Public Works Advances Account, now due to Public Works Advance Account	...	...	...	...	...	£	s.	d.
						54,791	0	0

SOME of the CHIEF ITEMS for which LOAN is REQUIRED.

Public Works—amount to be raised on account of current year	...	...	...	...	...	1,461,447	0	0
Treasury Bills to be converted	...	...	...	...	...	832,000	0	0
Debt due to Public Works Account by Consolidated Fund	...	...	...	...	...	800,000	0	0
Imperial Guaranteed Debentures to be redeemed	...	...	...	...	...	800,000	0	0
Provincial Liabilities	...	...	...	...	...			

Mr. STEVENS.—Will the Colonial Treasurer be good enough to let us know from what date he proposes to begin the generalization of the Land Fund?

Mr. LARNACH.—That is a matter we leave entirely in the hands of the House; but it will not be retrospective.

Major ATKINSON.—Are we to understand that the Government will make the Committee of Supply the first Order of the day for to-morrow? I do not wish to press the Government unduly, but I was unable to gather from the Statement of the honorable gentleman whether or not it is

the intention of the Government to bring in a Bill to take the Land Fund from the 30th June last.

Mr. MACANDREW.—That is not the intention.

Major ATKINSON.—Then what is the proposal?—because it will materially affect the views of honorable members in deciding on the course they may adopt. If the honorable gentleman will inform us what are the intentions of the Government as to when the proposals shall take effect, then we shall have something before us. We can then discuss the Financial Statement



intelligently, but we cannot do that until we learn those matters in respect of which I have asked questions.

Mr. REYNOLDS.—I think we should not go into this matter to-night. We shall have quite time enough to talk about that when the discussion comes on. No doubt there will be a great many other inquiries besides this. For my own part, I may say that I am quite ready to proceed to the discussion of the Financial Statement at once. It has been circulated: members can read it through, and in half an hour come to a conclusion. I can determine in half an hour what I shall do—whether I can support it or not.

Mr. McLEAN.—I am sorry to say that I have not the same ability as the honorable member for Port Chalmers. I could not understand the Financial Statement in half an hour, or in two or three hours. Some of the proposals have quite taken my breath away, and I should like to have time to consider them; therefore I think it is only fair to the Government and to the Opposition that this debate should be adjourned. The honorable member for Egmont wishes to know when these proposals are to take effect, and, as rests the whole thing upon that, I think we ought to get some information on that point at once. Then there is another question: When does the honorable gentleman propose to bring down his Loan Bill? I think the information asked for is very reasonable, and I do not see that the Government have any reason at all for declining to make the declarations we invite them to make.

Mr. J. E. BROWN moved, That the House do now adjourn.

Major ATKINSON.—I hope the honorable gentleman will give us an answer to the questions which we have put. I hear some honorable members say "To-morrow;" but to-morrow will be too late, because it amounts to this: If the Treasurer proposes to take the Land Fund next February, then there will be a deficiency to meet; but, on the other hand, if he proposes to take it as from last June, there will be an excess. I want to know which he proposes to do, because, until he tells us his intentions upon that point, we cannot discuss the matter intelligently. The Government could not propose to the House such a scheme as this without knowing the date at which they proposed to take the Land Fund, for the whole question hinges upon that. I trust the Government will give us that information, without which it is impossible to discuss their Financial Statement with any degree of correctness.

Mr. STOUT.—I think, Sir, the Financial Statement is not a question of dates, but a question of policy, and perhaps for that reason the Financial Statement has surprised the honorable member for Egmont, who was not in the habit of propounding any policy. The particular question of policy is to be considered, and the question of dates is altogether outside and independent of that, and it does not matter in the slightest degree when the Colonial Treasurer is going to change the land law or to bring in a scheme for the classification of land. Those are details which

*Major Atkinson*

will have to be accomplished by Bills, and it would be most unreasonable to ask the Government to enter into a lot of particulars as to what is to be contained in Bills which are to be brought down at some future time. I would like to know if the honorable member for Egmont himself when he brought down his Financial Statement would have explained such questions as he is now propounding to the present Colonial Treasurer. It is a most unheard-of thing. What would he do, if he got an answer? Why, he would be rushing about the lobbies trying to get votes during the next twenty-four hours. We have seen that done before, and I will undertake to say that he would be as active this evening and to-morrow morning as he was on a certain occasion two or three weeks ago; and he was very active then.

Mr. REID.—No doubt questions of policy are involved very largely in the Financial Statement. But, at the same time, it must be admitted that there is also a question of dates intimately connected with that of policy. We wish to know when these proposals are to take effect—when these new financial arrangements are to be made; and surely that is not an improper question to ask. We wish to know when this future policy is to take effect. There is not the least word about it in the Statement just made. We also wish to know when the new Land Bill is to be brought down. These are questions irrespective of policy; still they are so intimately connected with the question of policy that we cannot consider one without considering the other. If changes are to be made they must be made at some given date, and we ought to know when; otherwise we shall not be able to bring our discussion to any point. If the new financial arrangements are to date from June last, there will be an excess; if they are to date from a later period, there will probably be a deficiency. Everything depends upon the date on which the arrangements are to commence to take effect. I think it is very reasonable that members should have information on this point; otherwise we shall be discussing the question from one point, and then we shall be told, "You are quite wrong, because it does not take effect from the date from which you are calculating."

Sir G. GREY.—I shall not answer the question asked by the honorable member for Egmont, for obvious reasons. He asked me when the Government proposed to take the Land Fund from Canterbury: whether it was from the 30th June last.

Major ATKINSON.—No.

Sir G. GREY.—That was the question the honorable gentleman asked, and in asking it he attempted to mislead the House. There is no other Land Fund but that of Canterbury, and he is simply evading his responsibility when he denies having asked the question. It is a mere evasion. It happens that the honorable gentleman himself, after he was out of office virtually—the day before we were sworn in—adopted the very unusual course, a course, I believe, unprecedented on the part of Ministers only holding office nominally, of ordering the distribution of £200,000 of the Canterbury land revenue to the

counties in that provincial district. He knows very well that he is guilty of an evasion. I shall not, therefore, answer his question.

Mr. GISBORNE.—Will the Government have any objection to tell us whether they intend to bring down the question of the Land Bill, or whether they merely propose to make amendments in the Land Bill?

Mr. REES.—I hope no questions will be asked or answered. The question now is, whether we shall adjourn for the purpose of considering the financial proposals of the Government; and I hope no other question will be taken into consideration at present. These matters can easily be brought in during the discussion of the Financial Statement.

Mr. McLEAN.—I am sorry to have troubled the honorable gentlemen opposite, and I hope the House will not trouble them further, because it is very evident that they have not made up their own minds on this point; but I must say that the information asked for by my honorable friend the late Colonial Treasurer is reasonable: in fact, it is the starting-point from which we must approach the discussion of these financial proposals. However, as the honorable gentlemen themselves do not appear to understand their own proposals, I hope the House will not insist upon the question being answered. Let us have the Statement, and try to make something out of it to-night.

Mr. SHEEHAN.—We were told, a short time ago, that the honorable member for Egmont was to be leader of the Opposition; then we heard of the honorable member for Wellington City; and now, I suppose, we may regard the honorable member for Waikouaiti as the leader. He has always had a great reputation for finance, almost as great, although not so well deserved, as that of the honorable member for Egmont, but somehow the more speeches we hear from the honorable gentleman the less confidence we have in him. He tells us that we do not know what our proposals are. Very well, Sir, we know our own minds, and I can only advise the honorable member to use the next twenty-four hours in studying the Financial Statement and trying to make something out of it, though I very much fear that it is a little beyond him. However, when he has done that, when he has digested that Statement, let him and his friends come here, and we will give them a little more. As for ourselves, we propose that our plans shall take effect at such time as will relieve the colony of its present difficulties and place the finances in a sound condition as regards the future. It is rather remarkable to find the honorable member for Egmont, in spite of his Financial Statement, and in spite of his denial that the colony was in difficulties, coming here to-night and telling us that, unless we make the Land Fund colonial property as from last June, there will be a deficiency in the Treasury. We were not told that three months ago, for, so long as the honorable gentleman was able to take money out of the pocket of Canterbury and to mortgage the runs of Otago all was right. People have strange ideas when they are on the Government benches.

The policy which has been placed before the House I shall not fully deal with. I will not go into its details. That policy is now before the House, and honorable members will have an opportunity of fully considering it before we meet to-morrow. The honorable gentlemen on the other side of the House had better, immediately after the adjournment, start caucussing, because they will require all the time between now and the meeting of the House to-morrow to acquire a full knowledge of it. There is no twisting about us. We have not gone round the corner to obtain the votes of the people of Otago and Canterbury. We say that what our predecessors have been trying to steal we are trying to take by main force; we are respectable highwaymen, and not petty mean thieves. When honorable gentlemen have read our Statement, all, with the exception, perhaps, of a few members who are irreconcilable, will agree with us that we have risen to the occasion, and have solved a difficulty which would not otherwise have been solved for a very long time to come. We are quite satisfied with our solution of it. We are quite satisfied that honorable gentlemen can, by log-rolling and lobbying, endeavour to put us out of office on this question; but we are prepared, nevertheless, to go on with it—we are prepared even to go out of office on this question, and we are prepared, moreover, to go to the country on it. I ask the honorable gentlemen on that side of the House to go to the country on the question. I say that neither the honorable member for Egmont nor any of his party desire a dissolution. In some cases a dissolution does not mean a return to this House—it means political extinction to some honorable gentlemen; and I say that many of those honorable gentlemen who oppose our proposed land system will meet with political extinction. I may say that, if anything is left in an unsettled state in this Statement, my honorable friend the Colonial Treasurer will readily explain it when we meet to-morrow. It is a most unusual thing to try to get up such a discussion as this immediately after the delivery of a Financial Statement. There will be plenty of time to get up a discussion to-morrow; and, in the meantime, we should have rest—"political rest." I have no doubt that, after honorable gentlemen have read and considered the Statement which has been made to-night, they will come down to-morrow prepared to ask questions of us which would puzzle a Philadelphia lawyer. I hope the House will agree to the adjournment.

Motion for adjournment agreed to.

The House adjourned at twenty-five minutes to nine o'clock p.m.

## LEGISLATIVE COUNCIL.

Tuesday, 20th November, 1877.

Second Reading—New Plymouth Harbour Endowment—Education Reserves Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

## SECOND READING.

Fish Protection Bill.

## NEW PLYMOUTH HARBOUR ENDOWMENT.

The Hon. Mr. BUCKLEY asked the Hon. the Colonial Secretary, Whether the Government will lay upon the table a copy of the opinion or correspondence with the Law Officers of the Crown referring to the payment of a percentage of the land revenue of Taranaki to the New Plymouth Harbour Board under "The Financial Arrangements Act, 1876"? There was at present before the Council the New Plymouth Harbour Bill, upon which a Committee was appointed to inquire into the payment of a percentage of the Land Fund of Taranaki to the New Plymouth Harbour Board. He believed a statement was made in another place that the opinion of the Law Officers of the Crown had been taken in reference to this question, and he thought, before the Bill was considered, a copy of the opinion or correspondence should be laid on the table of the Council.

The Hon. Colonel WHITMORE said he would be happy to give all the information he possibly could, and would now lay the correspondence and opinion on the table.

## EDUCATION RESERVES BILL.

The Council proceeded to the consideration of the following reasons assigned by the House of Representatives for disagreeing to certain of the amendments made by the Legislative Council:—

"They recommend that the amendment in the first line of section 4, substituting 'one-eighth' for 'one-fourth,' be not concurred in, because one-eighth of the education reserves would be an utterly inadequate provision for the promotion of secondary education, and because, while nearly the whole charge for primary education has been thrown upon the Consolidated Fund, no contribution is made from that fund for secondary education.

"They recommend concurrence in the other amendments, except that in section 19 (as substituted for the original section) they suggest the following alterations:—

"In line 36, omit the words 'jointly agreed to.'

"In line 38, omit the word 'a.'

"In line 39, omit the words 'disapproving thereof.'

"In line 40, omit the word 'joint.'"

The Hon. Colonel WHITMORE moved, That the Council should not insist upon its amendments to which the House of Representatives had disagreed, and should accept the suggested alterations in clause 19 mentioned in the message. There had been so much argument on this subject in the Council that, unless anything arose in any debate that might occur, he would not detain the Council by any further remarks.

The Hon. Dr. GRACE would make no objection to the motion. As the general principle was maintained in the Bill, it would probably be a graceful act for the Council to assent to the proposal of the other House.

The Hon. Mr. MENZIES would have been

*Mr. Sheehan*

glad to hear the reasons which had led the Colonial Secretary to move, "That the Council should not insist upon its amendments." He did not know how the honorable gentleman could expect the Council to take that course. The honorable gentleman said that, seeing that the matter had been so fully debated before, he need not enter into a full explanation. Well, he (Mr. Menzies) did not know how, seeing that the matter had been fully debated before, and it having been decided in the Council, by a majority of 17 to 6, that the proportion should be one-eighth and not one-fourth, the honorable gentleman could expect the Council would reverse its decision without some good reasons being shown. After such conclusive divisions as had taken place on this subject within the last few days—one division being 17 to 5, and the following one 16 to 6—it seemed to him that, before the Council could be expected to reverse its former decision, some good cause should be shown. He had looked over the reasons assigned by the other House as they appeared on the Order Paper, and it did not seem to him that they were exactly consistent with fact. The reasons assigned were: "because one-eighth of the education reserves would be an utterly inadequate provision for the promotion of secondary education, and because, while nearly the whole charge for primary education has been thrown upon the Consolidated Fund, no contribution is made from that fund for secondary education." The last argument appeared to him to be of no value, because the 8th clause of the Education Bill, which provided for this charge, had been excised by the Council, and there really was no charge upon the Consolidated Fund for education at present. Therefore he disregarded the second reason, and said that the first reason—namely, that the proportion was utterly inadequate—was not consistent with fact. Honorable members had had a printed return placed in their hands early in the session, an Education Reserves return, on analyzing which it appeared to him that the reserves made for secondary education in Canterbury and Otago, and especially in Canterbury, were ample. He would draw the attention of the Council to the return so far as regarded Canterbury. He found that the value of the education reserves for ordinary public schools was estimated at £209,901. That was the total estimated value, but whether the estimate was correct or not he was not prepared to say. He found that there were other reserves—for classical schools, £44,765; for schools for technical science, £90,125; for a school of agriculture, £89,475; and for superior education, £55,465. Deducting the last item, and a certain proportion for classical schools, he found that the division would be—for higher school purposes, £69,965; and for collegiate purposes, £209,865. He should not himself have adopted that phraseology or that division, but he found that honorable members from Canterbury regarded the quantity he had just mentioned as applicable for collegiate purposes. He did not think that, if the terms used in this return were copied from the terms of the Trust, that would be a necessary sequence, but rather

regarded the whole, or at all events a great proportion, as a provision for superior schools. Seeing, therefore, that £209,865 were reserved for collegiate purposes, £209,936 for common schools, and £69,965 for higher schools, including secondary schools, schools for superior education, and classical schools, he thought it could not be said that in Canterbury there was not ample provision for secondary education. Let them now refer to Otago. In Otago it appeared that the Crown grants were given for education generally, and that many of those reserves were set aside so that the proceeds might be applicable not to elementary schools merely, but to elementary schools, secondary schools, and universities; so that it was more difficult to draw a line in regard to this province, but he had endeavoured to do so as far as he could. His conclusion was this: The estimated value of the university reserves was £392,886; for elementary schools, £421,500; and the amount set aside for secondary schools was £100,000. In no other part of the colony, except Auckland, did he find that any reserves appeared to have been set aside for secondary schools. In Auckland he found that the value of the reserves for common schools was set down at £17,000, and the value of reserves for high schools at £24,040. Now, he thought that in the two southern provinces, in which most reserves had been made, for the reserves elsewhere were comparatively small, the provision was ample, and, if the provision was not ample in any part of the colony, the very Bill the Council now had under consideration afforded the Government power to make such reserves as might be considered necessary for the purpose. If honorable members would look at the 19th clause, passed at the instance of the Colonial Secretary, they would see—

“The Governor may from time to time, by Proclamation, provisionally reserve any waste lands of the Crown, or any lands taken under ‘The New Zealand Settlements Act, 1863,’ or any Act amending the same or construed therewith, as endowments for primary and for secondary education within the provincial district in which such lands are.”

Now, if the reserves for secondary education were held to be inadequate in any provincial district of the colony, there was ample power in that clause given to the Government to make such provision. The course the Council should take was to disagree with the amendment, which would lead to some other messages, and possibly to a Conference. He did not wish to move an amendment to the motion of the Colonial Secretary, because he found from experience of late that, although the Council might decide by considerable majorities in one direction in one week, yet changes of opinion occurred—the wind changed, a “southerly bu’ster” set in—and so it came to pass that what was at one time a popular idea might in the course of a very few days come to be considered as an idea that ought to be kicked under the table. The other amendments referred to in the message were of an unimportant character. With reference to the 4th clause, he should ask for a division, without moving an amendment,

and, in case the majority of the Council still adhered to the view it expressed the other day, he would be prepared to take some further action.

The Hon. Mr. HALL very sincerely trusted that the Council would agree to the proposal of the Colonial Secretary. He heard with some surprise [the remarks which had fallen from the Hon. Mr. Menzies, who, as a general rule, used very fair arguments; but in this case the effect of the honorable gentleman's remarks had been to mislead the Council as to the actual facts of the case with regard to the Province of Canterbury. The question was, whether the amendment made the other day by the Council would leave to that province a reasonable provision for the maintenance of secondary education—in other words, for the establishment of high schools. The honorable gentleman had enumerated several large reserves mentioned in the list he had referred to, and led the Council to believe that, independently of the reserves for general educational purposes, there were these large reserves applicable for secondary education. Now, he assured the Council that that was not the case—that those reserves for a classical school, for a school of technical science, for a school of agriculture, and for superior education were, by the terms of the trust, not applicable to high schools; and the Board of Governors of the Canterbury College, in whom they were vested, had been anxious to take steps towards establishing a boys' high school in Christchurch, and found, on referring to the terms of the trusts, that those reserves were not applicable to the purpose. He was in hopes that the reserve of 8,000 acres for a classical school would have been available, but on looking closely at the terms of the trust it was considered not to be applicable. The only resource, therefore, was to apply to the Government for some endowment which would enable them to establish a high school, the want of which was much felt. He trusted the Council would accept that statement as opposed to the statement of the Hon. Mr. Menzies, and would realize the fact that all that would be left out of the Canterbury reserves for the establishment of secondary education, both in the northern part of Canterbury and in the southern part, would be one-eighth of the reserves which were now left for general education. These amounted to 59,000 acres. They were let for £6,400, being an average of from 4s. to 5s. an acre, and they were let generally for periods varying from seven to fourteen years. He thought those figures would satisfy honorable members that no very large increase of income was likely to accrue from those reserves at an early date. It was not a case like those of which they were told the other day, where property which now produced £1,000 would soon produce £10,000, or anything of that kind. This was agricultural land which was already let at prices varying from 4s. to 5s. an acre. It was possible that some additional rent might be received, but it could not be very soon. Therefore, if honorable members wished to afford reasonable facilities for the establishment of a boys' high school at Christchurch and at Timaru, he asked them whether they thought it

right to cut down the income placed at their disposal from £1,600 to £800. The other reserves, as he had said before, were applicable to the purposes of a school of agriculture, and to those purposes which, in Otago, were perhaps better distinguished by being called university purposes. Under those circumstances he trusted the Council would, upon reconsideration, not insist upon its amendments. He did not think it was sufficient ground for adopting the opposite course to say that, because they had voted in one direction one day, they must absolutely adhere to that vote. There was one other point to which he wished to refer. He wished to remind honorable gentlemen from the North, who, he thought, under all the circumstances of the present time, especially considering recent financial announcements, seemed disposed to deal rather hardly with the South, that, of the reserves for general educational purposes in Otago and Canterbury which had been set aside out of the lands of those provinces, three-fourths were about to be surrendered to the colony. Honorable gentlemen should bear these considerations in mind when they were endeavouring to arrive at compromises. When they were talking of giving and taking, it should not be all taking: there should be a little giving. He might mention that this one-fourth was a compromise made between gentlemen representing Otago and Canterbury and the late Government. In pursuance of that arrangement the Bill as it stood when it came into the Council was introduced into Parliament by the late Government, was carried through the other House by the late Government, and introduced into the Council by the late Colonial Secretary. The Hon. Dr. Pollen said he did not introduce it: at any rate, it was framed by the Government of which the honorable gentleman was a member, and was introduced by them into the other branch of the Legislature. He could not therefore attempt to deny his responsibility for it, and he (Mr. Hall) could not for one moment suppose that the honorable gentleman would attempt to upset the work of his colleagues. He trusted that, for these reasons, the Council would agree to the motion proposed by the Colonial Secretary.

The Hon. Colonel BRETT was sorry to say that he could not agree with any part of the speech of the Hon. Mr. Hall. He would ask the honorable gentleman, taking the whole of the different charitable schools, which these schools were, what was the percentage of children that would be sent to the secondary schools? He did not suppose there would be 10 per cent., while the honorable gentleman asked for one-fourth of the whole of the money. He (Colonel Brett) should say that one-tenth would be quite sufficient, or even one-twentieth. There were only five or six boys out of every hundred in the colony adapted for secondary education. His honorable friend would pauperize the whole country. They did not want this pauperizing of the country. The people objected to it, and particularly in his (Colonel Brett's) district, which was a very poor district. When he spoke of this charitable school in the district the people rose up

*Hon. Mr. Hall*

with anger, and said they would not send their children to a charitable school. All the schools throughout the country were charitable schools, and the people did not like it. They were willing to pay their share for the education of their children, just as much as the higher classes were. As it had been settled that they were to have State education, he did not see why they should go beyond the elementary schools. What was the case at Home? The most eminent men in Parliament, including Mr. Disraeli, said that it was only necessary to educate the people in the three "Rs." He was very much against this waste of money—this profligate expenditure on education. It was nothing more nor less than that, and he condemned it very much, and would oppose the present motion. He was very sorry to have to do so, because he believed the honorable gentleman was moving in the matter conscientiously. Nevertheless, he trusted that the Council would not agree to the motion.

The Hon. Mr. ROBINSON said that, whenever anything came up about schools, even about the Boys' College at Christchurch, the Hon. Colonel Brett always seemed to enunciate very imaginative ideas, or else the schools in his neighbourhood were very different from those in other parts of the country. His honorable friend must himself have been educated in a very strange school. He told them that he did not think more than 10 per cent. of the boys would attend these secondary schools, and that, consequently, a tenth or a fifteenth of the funds derived from these reserves would be a fair proportion to be given for the purpose. But the honorable gentleman forgot altogether that the primary schools were subsidized from the Consolidated Fund, and that only a portion of the reserves were given towards defraying the cost of secondary education, so that, if he wanted the money fairly divided, he would find that a tenth of the reserves would not be anything like a fair proportion, even if only 10 per cent. of boys attended the secondary schools. He thought the honorable and gallant gentleman had been labouring under a misapprehension in this respect. He laid very great stress upon his assertion that the people would be pauperized, and said that the people in his neighbourhood had a particular objection to being pauperized. No doubt they had; there was nothing very strange in that. He (Mr. Robinson) did not know that any class of people in any part of the colony would like to be pauperized, and particularly in the sense in which the honorable gentleman put it. But he did not look upon this as anything in the shape of eleemosynary aid towards the schools. There had been a certain quantity of land set aside, the income from which was to be appropriated towards the expense of education. Three-fourths of the reserves had been given up to the Government, and surely the remaining fourth was not too much to ask for on behalf of secondary education. He had no doubt there were many lads in the neighbourhood in which his honorable friend lived—say, 10 per cent—who would take advantage of these schools, and who it was desirable should receive better education than the rest. That was not too much to

ask for under the circumstances. With regard to what fell from the Hon. Mr. Menzies as to the opinion of the Council changing very much, he (Mr. Robinson) for one was willing to admit that he was not so obstinate that, once having said a thing, and having reconsidered the matter and found that he was labouring under a wrong impression, he would still adhere to his first opinion. He was not like the witness in a case of horse-stealing, who first deposed that the horse was 16 feet high, but, on cross-examination, said 16 hands high; and, on being reminded of his former statement, said, "Well, if I said 16 feet, I will stick to it."

The Hon. Mr. WILLIAMSON thought the country had undertaken a very great work, and that in the present state of their finances it would be quite enough for them to do to provide what was required for primary education. He did not think the country, in the present state of its finances, was able to afford secondary education. He would like to see a list of the names of the parents of those boys who frequented the secondary schools. He thought it would be found that in nine-tenths of the cases the parents of the boys attending these schools were well able to provide such education at their own expense.

The Hon. Mr. PATERSON said he altogether objected to the doctrine propounded by the Hon. Mr. Williamson, that secondary education should only be provided for those who were able to pay for it. It was very well known that in all times, past and present, many of the most eminent men in science and literature had risen from the ranks of the working classes, who, as a rule, were not able to obtain secondary education for their children. Why should they be shut out from the benefits which the State was perfectly well able to provide for them? He thought it was monstrous that the children of poor people, if possessed of talent and ability, should be excluded from higher education and prevented from raising themselves in the social scale, simply because their parents happened to be unable to provide that education for them. He would support the proposal to set apart one-fourth of the whole fund for secondary schools.

The Hon. Mr. MILLER wished that the Hon. Mr. Williamson could see a list of those parents who did not know where to get secondary education for their children. He thought that such a list would induce him to hold very different views from those which he had expressed. It was all very well for those honorable gentlemen who could send their children to Europe for secondary education to take up such a line of argument, but there were very few persons in the colony who were so situated. Whilst agreeing with the Hon. Mr. Paterson in what he had said, he held that it was clearly the duty of the State to furnish some opportunities for boys of superior ability to prosecute studies which they had commenced in the elementary schools and make themselves capable of becoming illustrious men, celebrated for their learning, or, at any rate, of becoming more useful citizens; and he would say that there was a great middle-class in this country who were just as much interested in this matter as those who

were pleased to call the people. There was a need in all classes for these schools, and he thought the Council had done extremely little justice to the efforts of a very large portion of the Colony of New Zealand which had been for the last sixteen or seventeen years endeavouring to promote and set on foot a school having for its object this branch of education. Whether those efforts had been attended with success or not was not altogether the question for them to consider at the present time. Boys of great ability had been turned out by that school, and in the early days of its history it was very successful. He thought the Council had not sufficiently reflected upon this subject. To destroy with one vote the efforts of persons who had been so sincerely interested in the cause of education spoke very little for the interest which the Legislative Council took in this matter. Two or three more votes such as had been given in reference to this question would cause him to exclaim, "Almost thou persuadest me to be a Provincialist." It was a most lamentable thing that, just when they had got the Government of the colony into the hands of one Parliament, they seemed to ignore all the efforts of Provincial Governments that had been going on for so many years, and to cast them aside as if they were utterly valueless and of no account.

The Hon. Colonel WHITMORE believed it was a generally-expressed opinion in the Council that this was a subject which might very properly be reconsidered. Honorable gentlemen had come to the conclusion that they were rather hasty in passing the resolution they did. The proposal was made by gentlemen from the southern part of the colony, and it appeared such a generous gift that some honorable gentlemen accepted it at once, and thought it would be churlish not to accept what was so liberally offered. For his part, he did not conceal from himself or from the Council that it was a breach of an honorable understanding come to in another place between representatives of the people from various parts of the country.

The Hon. Mr. MENZIES could not understand why the honorable gentleman should say that the action of the Council was a breach of an understanding in another place. Was the honorable gentleman in order in saying so?

The Hon. Colonel WHITMORE said that appeared to him to be rather a hair-splitting objection. He referred of course to the view which would be taken by the public rather than as between the two Houses. He was quite willing to admit that their action was quite independent of the other branch of the Legislature, and that they were neither influenced nor controlled by its views or arrangements. But, after all, the settlers throughout the country were most interested in the matter, and they would say that the people of the South, who made those large reserves, were called upon to make a great sacrifice when they gave up three-fourths of the endowments which they calculated upon. He thought the proposal embodied in this Bill was a liberal one, and he admired the spirit in which the sacrifice was made without any complaint

whatever. Therefore he voted against the proposal to reduce the proportion to one-eighth, although he came from a part of the country which had everything to gain and nothing to lose by it; moreover, he urged honorable gentlemen who would likewise be gainers to take the same course. Now the argument seemed to have assumed a wider importance, and there was a little of the class element introduced which had not appeared before. He deprecated that line of argument altogether. In his opinion there were no rich and no poor who had any right to receive special consideration from the Legislature. All were equally entitled to their care, and the son of the poorest peasant had an equal right to have access to secondary education with the child of the richest and most successful colonist amongst them. They were all working men, although some of them had been more fortunate than others. The House of Representatives had been singularly civil to the Council this year. He thought this was the first amendment of theirs which had been disagreed with out of a great many; and, in doing so, the House of Representatives simply said—what all of them who had given any attention to the subject knew—that to diminish the proportion in one or two provinces most concerned would practically destroy the secondary education of that part of the country. For his part, he would act consistently in the vote he was about to give; but he did not think that honorable gentlemen who changed their minds on that subject acted inconsistently, because he did not think it had been made so clear to them as it now was by the Hon. Mr. Hall that the alteration would dry up the resources of the Province of Canterbury for secondary education. He hoped the motion he had made would be agreed to.

Question put, "That the Council doth not insist upon its amendments in the 4th section of the Education Reserves Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	17
Noes	...	...	...	...	8
Majority for	...	...	...	...	9

#### AYES.

Captain Baillie,	Mr. Mantell,
Sir F. Dillon Bell,	Mr. Miller,
Mr. Buckley,	Mr. Paterson,
Captain Fraser,	Mr. Pharazyn,
Dr. Grace,	Major Richmond, C.B.,
Mr. Hall,	Mr. Robinson,
Mr. Hart,	Mr. Russell,
Mr. Holmes,	Colonel Whitmore.
Mr. J. Johnston,	

#### NOES.

Colonel Brett,	Mr. Lahmann,
Mr. Chamberlin,	Mr. Menzies,
Mr. G. R. Johnson,	Mr. Nurse,
Lieut.-Colonel Kenny,	Mr. Williamson.

The motion was consequently agreed to.

The Council adjourned at twenty minutes to ten o'clock p.m.

*Hon. Colonel Whitmore*

## HOUSE OF REPRESENTATIVES.

*Tuesday, 20th November, 1877.*

First Readings—Second Readings—Westport and Greymouth Coal Fields—Motueka Roads—K. Karetai—Canterbury Surveys—School of Mines—W. H. Tai-pari—Canterbury Railway Reserves—Financial Statement.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

### FIRST READINGS.

Taranaki Smelting Works Bill, Jackson's Bay Road District Bill.

### SECOND READINGS.

Native Lands Bill, Marine Bill, Cemeteries Management Bill.

### WESTPORT AND GREYMOUTH COAL FIELDS.

Mr. KENNEDY asked the Government, Whether they will appoint a Royal Commission to ascertain, during the recess, the progress being made towards developing the coal fields at Westport and Greymouth; the quantity and quality of coal each mine in operation is capable of producing weekly; the prospects of such coal being brought into successful competition with imported coal throughout the colony, and the most effectual and immediate means of accomplishing that object; and, if so, if the report of such Commission will be laid before this House next session? It was generally agreed that this was one of the most important industries in the colony, and that it to a very large extent depended for its development upon shareholders scattered throughout the colony, who had no means of obtaining proper information as to the prospects of their investments. He trusted the Government would see the necessity of appointing a Commission, and that they would appoint to it gentlemen who were not heads of departments merely, but gentlemen who were acquainted with the subject, and who were capable of forming an opinion on the matter which they would have to investigate.

Mr. MACANDREW replied that the Government fully recognized the importance of this matter, and intended to appoint a Commission during the recess. He trusted that the result of their labours would be satisfactory.

### MOTUEKA ROADS.

Mr. HURSTHOUSE asked the Minister for Public Works, If the Government will make provision for reinstating the roads in the Motueka District (destroyed by floods in February last) by placing on the Supplementary Estimates a sum, in addition to that already granted, which will enable the Board to carry out the recommendations contained in a report by Mr. G. Blackett? In asking this question he might be allowed to make one or two remarks with regard to the subject to which it referred. It would no doubt be in the remembrance of the House that in February last disastrous floods had occurred in

the district which he represented. A great deal of damage had been done to private property, and also to the main roads in the district. The matter was then represented to the Government by himself and the Executive officer, Mr. Curtis; and, on the recommendation of Mr. Curtis, the Government consented to allow the sum of £2,700 (taken from the vote of last year of £30,000 for the road from Westport to Nelson) to be spent in reinstating the damaged roads. Before that was done, the Government sent Mr. Blackett to the district to make a full report on the subject, which was referred to the Government. In that report two plans were recommended. It was stated that the road could be reinstated at a certain cost, provided it was taken along the banks of the river, where the greatest damage was done. This, Mr. Blackett stated, would not be advisable, as the road then would be subject to floods, but that a safe road could be made under the hills at a cost of £1,433 greater than that by the river-bank. The Government only consented to place at the Board's disposal the sum required to do the least expensive work recommended in the report, but the Board was very unwilling to spend that money on a work which they knew would be unsatisfactory to the general ratepayers. On his arrival in Wellington he communicated these facts to the then Minister for Public Works (Mr. Ormond), who agreed with him as to the extra sum that would be required. In order to substantiate what he had stated, he would read an extract from a letter which he had received from the Secretary of the Motueka Highway Board, in which he said,—

"We have had a letter from the Under Secretary for Public Works, stating that, from the statements made by yourself and Mr. Baigent, the Minister is convinced that it is desirable the more expensive road shown in Blackett's report should be made, and that Parliament would be recommended to vote a sufficient amount for the purpose, which I hope Parliament will be generous enough to do, for, if the Valley is to have a road at all, it is no use making it anywhere except out of the reach of floods. Blackett estimated the cost of the more expensive or hill road at £1,433 6s. more than the road on the river-bank, but I feel sure that he is at least £200 below the mark. The difference in the amount granted by Government on Blackett's estimate of the hill road with 10 per cent. added is £1,855 6s., and I am quite sure that every farthing will be required."

The letter then entered into details. The object in putting the question was to ascertain if the present Government would carry out the promise made by the late Government, and place the sum named by the Under Secretary for Public Works on the Supplementary Estimates for the purpose stated. He trusted he should receive a satisfactory answer to the question, inasmuch as the matter was one of considerable importance to the people of the district.

Mr. LARNACH replied that, in addition to the sum which had already been placed on the Estimates, the Government would place on the Supplementary Estimates a sum of £2,800, which would be given to the two Boards. The sum of

£1,423 would be given to the Waimea Board, and the remaining £1,377 to the Motueka Board.

#### K. KARETAI.

Mr. TAIAROA asked the Minister for Native Affairs, What action the Government intend to take with reference to the report of the Native Affairs Committee on the petition of Korako Karetai? The Native Affairs Committee had given a certain decision in this case, and he wished to know what action the Government were going to take in order to carry out the report of the Committee.

Mr. SHEEHAN replied that the Government intended to place the sum of £50 on the Supplementary Estimates, as recommended by the Committee.

#### CANTERBURY SURVEYS.

Mr. MONTGOMERY asked the Minister for Lands, If he will state what increase, if any, has been made in the number of surveyors employed by Government in the Provincial District of Canterbury since the 13th September last, and the total number at present employed; also, if he will inform the House at what date the Chief Surveyor expects to complete the survey of the land already purchased from the Crown in that district, and not yet surveyed? He wished to give one or two reasons for asking this question. Upon the 13th December last, the then Minister for Lands (Mr. Reid) explained that 576,000 acres of land which had been purchased were then unsurveyed. He (Mr. Montgomery) was aware that there were many people who were unable to go upon their land because it was not surveyed. He was also aware that some parties had erected buildings and commenced fencing, and, after the land had been surveyed privately, it was discovered that the houses were not upon their sections. There were people who had purchased land four or five years ago, and who were not able to go upon it to the present time. It seemed to him that the number of surveyors employed were quite inadequate to overtake the large arrears of work. With the staff now employed, a number of years would elapse before the surveys could be completed. He wished to ask the Hon. the Minister for Lands whether any addition had been made to the staff, and whether the Chief Surveyor of the district could hold out any reasonable hopes as to when the land already sold would be surveyed, so that the people could depend upon getting on their sections and making use of them. With that explanation, he begged to ask the question standing in his name.

Mr. MACANDREW replied that since the 13th September there had been seven fresh appointments to the Canterbury survey staff. At present there were twenty-seven surveyors employed, exclusive of the Chief Surveyor, the Inspector of Surveys, and three others engaged in mapping. The Chief Surveyor stated that it would take two years before the surveys were completed. There were at present 720,000 acres of land to be surveyed. He might further state that the Government were desirous of obtaining more surveyors as soon as they could obtain



them, about which, however, there was rather a difficulty.

#### SCHOOL OF MINES.

Mr. BARFF asked, If the Government intend to institute any further inquiries in connection with the proposed establishment of a School of Mines?

Mr. MACANDREW, in the absence of the Premier, might say that some correspondence took place between the late Government and the University Council of Otago with regard to the establishment of a School of Mines in that part of the colony. That correspondence ended in negotiations being entered into with certain persons in Victoria who were specially qualified in regard to this matter. He was not aware what the present state of those negotiations was, but hoped that before the House separated he would be able to give the result.

#### W. H. TAIPARI.

Mr. TAIAROA asked the Native Minister, What action the Government intend to take in reference to the report of the Native Affairs Committee on the petition of W. H. Taipari? The reason for his asking this question was that Taipari had sent in a petition to the House for a reward for the discovery of a gold field at the Thames. The Committee went into the question and came to a decision, and he wished to know what action the Government intended to take with reference to the report of the Committee.

Mr. SHEEHAN replied that the petition referred to was a revival of a claim made by Taipari for a reward to which he said he was entitled for the discovery of a gold field at the Thames. The Committee recommended that the matter should be referred to the favourable consideration of the Government, and he gathered from the papers left by his predecessors that they adopted the report and would settle the claim. The present Government would endeavour to settle the claim as fairly as they could.

#### CANTERBURY RAILWAY RESERVES.

Mr. WAKEFIELD asked the Government, Whether they intend to take power to subdivide and dispose of the railway reserves in South Canterbury? He might say that before the abolition of the provinces there was a distinct promise given by the Superintendent of Canterbury that these reserves should be subdivided and sold in such a manner as to prevent their falling into the hands of large-speculators. One reason for his putting the question was to know whether the Government would apply the system of deferred payments to these reserves, which were large tracts of valuable land situated near the railways, and suitable for the location of artisans who were employed on the railways.

Mr. MACANDREW was very glad the honorable gentleman had placed this question on the Order Paper, because the attention of the Government had not previously been drawn to the matter. The Government would inquire into the exact state of these reserves, and, with regard to those which were not absolutely required for

special purposes, steps would be taken to have them placed in the market.

#### FINANCIAL STATEMENT.

On the motion for going into Committee of Supply,

Mr. LARNACH said,—I may mention, with reference to that part of the Financial Statement which deals with the Land Fund, that the Government propose to take the Land Fund as from the 1st January.

Major ATKINSON.—Sir, I have thought lately that I was to blame for not having availed myself of some of the many opportunities that have presented themselves during the past month to answer the very inaccurate statements with regard to finance which have emanated from the Treasury benches, and which have been very carefully circulated by the partisans of the Government throughout the country. But I now think that the course I followed was a wise one, because we have at last had placed before us a well-considered statement from the Treasurer, showing the financial position of the colony and the proposals of the Government: I am therefore now in a better position to avail myself of the present opportunity to give a brief history of the finances relative to public works for the last few years, and also to comment upon the proposals which the Treasurer submitted for our consideration last night. Sir, it has been said, and said repeatedly, in this House that the late Government was a continuous Government from 1869. I hardly know what meaning the honorable gentlemen who take that view attach to the word "continuous." No one has given us the meaning he attaches to the word. They have one and all contented themselves with the assertion that such was the fact. I should like to ask, In what was the Government continuous? Was it continuous in its *personnel*? We know that it was not. The Premier, and every other member of the Government, has been changed several times. Was it continuous in its policy? Certainly not. The policy was changed more than once. Was it in finance? Certainly not; the whole system of finance was also changed. Then in what respect was it a continuous Government? Sir, this is a question which appears to me to be one of not very great importance, except from the importance which has been attached to it by the other side, and because I think that by accepting such a doctrine we very much weaken the responsibility of individual Ministers. This becomes evident when I am told by honorable gentlemen opposite that I am responsible for the acts committed by my honorable friend the member for Wanganui in 1870, when I was not a member of this House, and, in fact, was visiting England. Is it to be said that, because I joined the Government in 1874, I am responsible for the acts which my honorable friend committed in 1870? If I am to be held responsible for those acts as though I had been a party to them, then it is clear that by so much shall I attach less importance to the acts I myself committed last year and the year before. I hold that a Minister is only re-

Mr. Macandrew

sponsible for the acts he himself commits, or for those the responsibility of which he takes upon himself. But let us, for the sake of argument, admit that it was a continuous Government, and see what we shall arrive at. Suppose it was a continuous Government, the fact is then evident, there were two very distinct epochs in its history. Up to 1874 it was a Government carried on by the Provincial party, a party which favoured the provinces; it was supported by gentlemen who believed strongly in the desirability of maintaining provincial institutions. After that date, the party which took the Government, and has remained in power since, was a party which believed in the abolition of the provinces, and which succeeded in doing away with them. We shall also find a marked distinction in the mode of conducting the finance since 1875. After the year 1870, and up to the beginning of the financial year 1875-76, we had been in the habit of appropriating our public works loans by permanent appropriations. When we borrowed money we set apart large sums for railways and other services, and placed them within the power of the Government for expenditure, not from year to year, but extending over several years. Very great and perhaps necessary power was placed in the hands of the Government up to 1875, but after that time that system was entirely altered. I myself had then the honor of occupying the position of Colonial Treasurer. In that year we did away with all standing appropriations: we thereby placed within the control of the House the whole of the money raised by loan from year to year, and we introduced for the first time the Immigration and Public Works Loan Appropriation Act. The power of reserving votes chargeable upon the Consolidated Fund was done away with, and every vote made to expire absolutely on the 30th June in each year. In 1875 we also submitted to the House a plan for extending the expenditure of the balance of the public works loans over a period of two years, and, as I have before shown, the plan then laid down was faithfully adhered to; and on the 30th June last we had not expended the whole of the balance of the loans which were authorized in 1875. Therefore, Sir, if we were a continuous Government, we, at any rate, can claim the credit of having—as soon as what I may term the glitter of the Public Works scheme had worn off—settled down to our work, and seriously looked forward to the years to come. Since that date, we have steadily adhered, under much pressure, to the plans we then marked out for ourselves with the approval of the House. It will be necessary, Sir, that I should call your attention to the state of the colony in 1870, when the scheme of Immigration and Public Works was first introduced. It is well known to you that we had been suffering many years of depression; that property throughout the colony was almost valueless, and unsaleable; that very little employment was to be got; and that many people were seriously thinking of leaving the colony. The population of New Zealand at that time was, in round numbers, 250,000. The public debt, less the accrued Sinking Fund, was £7,250,000 includ-

ing £618,000 Treasury bills, of which some were issued in that year to make up the deficit of the previous year. The annual charge on our public debt was £536,000. Our consolidated revenue was only £936,000, and our Land Fund for the year was £208,000. Our total revenue, land and consolidated, together, was, in round numbers, £1,150,000. At the end of the financial year just expired our population had risen to 400,000. Our public debt had increased from £7,250,000 to £18,250,000—that is, after deducting the accrued Sinking Fund £1,353,000, and the cash in hand on the 30th June £980,000, the gross debt being £20,618,000; and the permanent charges had risen to £1,180,000. Our consolidated revenue had risen to £1,951,000, our Land Fund to £1,035,000, giving a total revenue of £3,000,000. The Treasury bills now outstanding amount to £837,000, being an increase in the seven years of £214,000. The charge on the permanent debt in 1870 consumed four-sevenths of our consolidated revenue. In the year just ended, seventwelfths of our ordinary revenue was required to meet the same charge. That is to say, the extra charge in proportion to the revenue had risen one eighty-fourth—a very small rise indeed. But this fact is also worthy of note: that in 1870 one-half our revenue—territorial and consolidated—was taken to pay permanent charges, whereas in the present year only one-third of our combined revenue is required for that purpose. I have said that the debt in 1870 was £7,250,000, and that this year it is £18,250,000—that is to say, an increase of £11,000,000. That sum of £11,000,000 is the amount we have expended on immigration and public works, land purchase, and two or three other smaller items which I need not particularize. That is the amount we have expended on these things during the last seven years: we have not spent £27,000,000, as the Hon. the Premier was pleased to tell the House the other night we had done. Of this sum of £11,000,000, £500,000 was consumed by the expenses of raising the loans, and in discount, £1,250,000 was spent on immigration, and about £1,750,000 upon railway material in England. That would leave a balance of about £7,500,000 which has been expended on public works throughout the colony. That would be a little more than £1,000,000 a year, and not, as has been stated by some honorable gentlemen, £3,000,000 a year. Now, Sir, for this expenditure we have certainly obtained 100,000 immigrants; we have also completed 860 miles of railway; we have made 2,300 miles of roads; and we have extended the telegraph 8,260 miles. We have also land worth, in my opinion, at least £750,000; and, in addition to that, we have all our public buildings, our lighthouses, and our waterworks upon our gold fields. If any one will look fairly at the expenditure, and at the circumstances under which it was made, I think he will be inclined to say—although it is possible we have wasted money, necessarily wasted money, owing to the rapid manner in which the scheme has been carried out, for which the late Government are certainly not wholly responsible—still we have got good value for our money. At any

rate, that is my opinion; and I think we should rather congratulate ourselves upon what we have got than waste regrets over what might have been. And here, Sir, I might remark that, since I had the honor of taking office some three years ago, we have only taken power to increase the indebtedness of the colony to the extent of £1,350,000. That is the whole of the borrowing power which I have asked and obtained since I have been in the Government. And on the 30th June last there was one million of that amount in cash in the Treasury.

An Hon. MEMBER.—Does that include Treasury bills?

Major ATKINSON.—Yes. When I speak of our indebtedness, I invariably include Treasury bills and cash advances on bonds. I have said that we have increased the amount of Treasury bills since 1870 to the extent of £214,000. But, to my mind, that is not a matter for surprise at all. I take an entirely different view on that point from that held by the honorable gentlemen opposite, who seem to think there is something dreadful in the idea of issuing Treasury bills. To my mind there is no difference whatever between Treasury bills and any other bond, so far as the public debt is concerned. Treasury bills, or long-dated debentures, are simply matters of convenience. The question is, Which is the most profitable way of raising money to meet our requirements? Well, we have increased Treasury bills since 1870 by the sum of £214,000. But when I say that we have assisted Auckland, Wellington, and Westland to the extent of over £300,000 within the last three years, it will not be a matter of surprise that so small an increase as that has occurred. I would ask those honorable gentlemen who talk so much about the employment of Treasury bills what they would have done under such circumstances. Would it have been wise at that time to have taken up a permanent loan for the purpose of meeting this expenditure? If any Minister had made such a proposal, he would have been laughed at.

Hon. MEMBERS.—No.

Major ATKINSON.—That is my opinion. Looking at the position of the colony, it was right to see if the consolidated revenue could not bear the charge; and therefore it was then a pru-

dent transaction to issue Treasury bills, instead of issuing a permanent loan, so as to enable us to see whether the consolidated revenue would not increase sufficiently, as was reasonable to hope, to repay these bills. It may be said that there were other ways of meeting this charge. We might have proposed to seize, as my honorable friend the Colonial Treasurer is now doing, the Land Fund of Canterbury; but I think neither he nor anybody else will say that that would have been possible at that time. There was another course. We might have increased taxation for the purpose, but I will ask whether the House or the country would have listened to such a proposal. It is perfectly clear that neither of these courses was practicable, and the only choice open to the Government was to issue Treasury bills or a long-dated loan, and we considered the former the more reasonable course. Sir, I hold in my hands a very interesting statement which, when it is placed before the House and the country, will be perused, I venture to think, with great satisfaction. It is a statement which I had prepared shortly before I left office, showing the actual receipts of the colony on the one side, treating the provinces and the colony as one, and the actual expenses on the other, eliminating all cross entries and transfers, and showing separately all aids to revenue in the shape of Treasury bills, advances out of loan, or released Sinking Fund, and also the expenditure upon public works of every description, including the subsidies to Road Boards, River Boards, harbour works, &c. And this is what we find: that the total receipts for the year amounted to £3,393,884 14s. 2d.; the total expenditure, exclusive, as I have said, of all subsidies and public works, to £2,779,318 5s. 3d.; which shows that after providing for all actual and necessary expenditure of Government, including interest and permanent charges, there was a surplus balance to credit of £514,000 available for local public works. The aids to revenue, as will be seen upon reference to the table, amounted to £673,174 9s. 11d., and we began the year with a balance in hand of £431,611 8s. 11d., making a total available for local expenditure of £1,619,352 6s. 11d., and there was during the year locally expended £1,284,658 15s.

INCOME and EXPENDITURE of New Zealand during the Financial Year ended 30th June, 1877. (Including the Accounts of the late Provinces.)

INCOME.		£	s.	d.	£	s.	d.	£	s.	d.
REVENUE ACCOUNT,—										
ORDINARY CURRENT REVENUE,—										
Customs	...	1,280,415	1	5						
Stamp Duties	...	122,170	10	10						
Postal	...	97,664	15	2						
Telegraphic	...	63,333	11	8						
Judicial Fees and Fines	...	41,899	11	2						
Registration and other Fees	...	59,749	16	0						
Licenses	...	52,172	0	0						
Carried forward	...	1,667,405	6	3						

Major Atkinson

INCOME and EXPENDITURE of New Zealand during the Financial Year, &c.—*contd.*

	£	s. d.	£	s. d.	£	s. d.
Brought forward...	1,667,405	6 3				
<b>REVENUE ACCOUNT—continued.</b>						
<b>ORDINARY CURRENT REVENUE—continued.</b>						
Tolls on Roads and Bridges ...	17,275	3 3				
Education ...	16,452	17 1				
Railways and Wharves ...	473,256	0 7				
Miscellaneous Revenue and Reimbursements	85,226	9 5				
Land Sales, &c. ...	1,058,536	17 11				
Fees and Duties, Native Lands Act	5,031	6 11				
Gold Fields Revenue	37,145	0 10				
Gold Duty	33,555	11 11				
			3,393,884	14 2		
<b>AIDS TO REVENUE,—</b>						
Treasury Bills ...	260,000	0 0				
Part of £250,000 authorized under "The New Zealand Loan Act, 1876," to meet payment of Provincial Liabilities	237,500	0 0				
Loans on Mortgage, &c. ...	28,442	0 0				
Overdrafts on Provincial Accounts	105,888	7 11				
Sinking Funds released	41,344	2 0				
			673,174	9 11		
			4,067,059	4 1	4,067,059	4 1
			431,611	8 1		
			4,498,670	12 2		
Balance on 30th June, 1876						
<b>LOANS ACCOUNT,—</b>						
Immigration and Public Works Loan Act, 1870 ...	187,400	0 0				
Immigration and Public Works Loan Act, 1873 ...	500,000	0 0				
General Purposes Loan Act, 1873	500,000	0 0				
Consolidated Loan Act, 1867	49,000	0 0				
North Otago District Public Works Loan	2,000	0 0				
Defence and Other Purposes Loan Act, 1870	250,000	0 0				
N. Z. Loan Act, 1876	£1,000,000	0 0				
Less, <i>vide</i> Rev. Account	237,500	0 0				
	762,500	0 0				
Lyttelton Harbour Works Loan Act, 1872	100,000	0 0				
Recovery from Greymouth Corporation	1,750	11 7				
			2,352,650	11 7	2,352,650	11 7
Balance on 30th June, 1876			26,574	12 4		
			2,379,225	3 11		
<b>SPECIAL AND TRUST ACCOUNTS,—</b>						
Wellington Reclaimed Land Act Account	23,814	14 9				
Wellington Debts Act Redemption Account	2,340	0 9				
Westland Loan Act Redemption Account	130	18 3				
Waitara Bridge Endowment Account	9	0 0				
			26,294	13 9		
Trust Fund Accounts			313,901	13 0		
			340,196	6 9	340,196	6 9
Balance on 30th June, 1876			191,574	12 0		
			531,770	18 9		
Total Income					6,759,906	2 5
Balance on 30th June, 1876					649,760	12 5
Total					£7,409,666	14 10

INCOME and EXPENDITURE of New Zealand during the Financial Year, &c.—*contd.*

EXPENDITURE.	£	s.	d.	£	s.	d.	£	s.	d.
REVENUE ACCOUNT,—									
ORDINARY CURRENT EXPENDITURE,—									
Civil List ... ..	28,586	0	0						
Charges of the Public Debt ... ..	998,795	4	6						
Charges under Permanent Acts ... ..	36,043	7	2						
Legislative ... ..	37,592	1	4						
Executive (including salaries of Superintendents) ... ..	35,172	12	5						
Stamp Department ... ..	3,878	13	3						
Printing ... ..	12,380	16	7						
Geological and Meteorological ... ..	3,884	14	5						
Electoral ... ..	7,310	2	7						
Crown Lands Department ... ..	5,637	11	5						
Inspection of Machinery ... ..	1,789	1	2						
Education ... ..	174,026	4	5						
Lunatic Asylums, Hospitals, &c. ... ..	101,738	7	4						
Store Department ... ..	1,027	15	0						
Department of Justice and Crown Law Office ... ..	3,007	0	0						
Law Courts ... ..	40,449	16	6						
Wardens' Courts, &c. ... ..	18,738	11	5						
Criminal Prosecutions and Coroners' Inquests ... ..	11,825	6	7						
Police and Gaols ... ..	120,934	19	5						
Land Transfer and Deeds Registry ... ..	20,924	14	6						
Contingencies—Law and Justice ... ..	4,175	15	0						
Postal ... ..	149,734	11	3						
Telegraphic ... ..	89,356	7	10						
Customs ... ..	39,520	4	10						
Marine ... ..	39,208	2	10						
Native (including Land Court) ... ..	57,222	13	8						
Militia and Volunteers ... ..	28,226	6	0						
Armed Constabulary and									
Contingent Defence £278,294	0	5							
Less charged on Loan 30,000	0	0							
				48,294	0	5			
Public Domains and Buildings ... ..	27,747	5	10						
Railways and Wharves ... ..	382,306	15	10						
Miscellaneous ... ..	217,517	17	7						
Waste Lands and Surveys ... ..	132,265	4	7						
							2,879,318	5	3
PUBLIC WORKS, ETC.,—									
Roads and Bridges, &c. ... ..	285,584	7	9						
Harbours and Jetties ... ..	62,701	12	2						
Railway Works ... ..	170,416	3	2						
Miscellaneous Public Works ... ..	84,382	3	7						
Buildings, &c. ... ..	113,766	15	4						
Endowments and Aids to Local Bodies,—									
Canterbury College £14,540	0	0							
Conservators, Clutha									
River ... ..	591	4	9						
Patea Harbour Board ... ..	2,042	4	0						
New Plymouth Har-									
bour Board ... ..	450	16	9						
Ellesmere and Forsyth									
Reclamation, &c. ... ..	1,412	0	0						
Timaru and Gladstone									
Board of Works ... ..	16,664	4	11						
Subsidies to Road and									
River Boards, Count-									
ies, and Municipal-									
ities ... ..	235,901	14	1						
Carried forward	271,602	4	6	716,851	2	0	2,879,318	5	3

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INCOME and EXPENDITURE of New Zealand during the Financial Year, &c.—*contd.*

REVENUE ACCOUNT— <i>continued.</i>				£	s.	d.	£	s.	d.	£	s.	d.
PUBLIC WORKS, ETC.— <i>continued.</i>												
Brought forward	271,602	4	6	716,851	2	0	2,879,318	5	3			
License Fees, &c., handed over to Counties and Boroughs	34,577	5	7									
Surplus Land Revenue handed over to Counties	254,757	0	0									
Gold Fields Revenue handed over to Counties	5,601	15	0									
Gold Duty handed over to Counties	13,911	6	8									
	580,449	11	9									
Deduct amount at credit of Counties Separate Account, not yet paid over	12,641	18	9									
				567,807	13	0	1,284,658	15	0			
							4,163,977	0	3	4,163,977	0	3
							334,693	11	11			
							4,498,670	12	2			
Balance on 30th June, 1877	...			...								
LOANS ACCOUNT,—												
Redemption of Debentures	...			24,250	0	0						
Immigration	...			150,575	3	6						
Departmental—Public Works	...			17,049	13	6						
Railways	...			932,251	19	4						
Roads and Bridges	...			40,889	17	6						
Land Purchases	...			71,129	7	7						
Waterworks on Gold Fields	...			85,671	10	7						
Coal Mining	...			1,336	14	3						
Telegraph Extension	...			33,224	15	0						
Public Buildings	...			43,309	4	2						
Harbours and Lighthouses	...			126,379	18	5						
Otago Provincial Public Works	...			13,341	7	7						
Services not provided for	...			291	18	4						
Stamp Duties refunded	...			466	4	2						
Temporary Advances on Debentures of Defence Loan repaid	...			50,000	0	0						
Armed Constabulary and Contingent Defence	...			30,000	0	0						
Charges and Expenses of raising Loans	...			11,496	1	7						
							1,631,663	15	6	1,631,663	15	6
Balance on 30th June, 1877	...			...			747,561	8	5			
							2,379,225	3	11			
SPECIAL AND TRUST ACCOUNTS,—												
Wellington Reclaimed Land Act Account	...			32,420	16	8						
Wellington Debts Act Account	...			17,000	0	0						
Suspense Account	...			440	19	3						
							49,861	16	4			
Trust Fund Accounts	...			...			444,638	1	3	494,499	17	7
							494,499	17	7			
Balance on 30th June, 1877	...			...			87,271	1	2			
							581,770	18	9			
Total Expenditure	...			...			...			3,290,140	13	4
Balance on 30th June, 1877	...			...			...			1,119,526	1	6
Total	...			...			...			£ 7,409,666	14	10

STATEMENT showing the Ordinary Current Revenue of the Year in excess of the Ordinary Current Expenditure and the Balance remaining unexpended on 30th June, 1877, in respect of the amount available for expenditure on Public Works, &c.

	£	s.	d.	£	s.	d.	£	s.	d.
Total Ordinary Current Revenue of 1876-77, including Land Sales ... ..	...	...	...	...	...	...	3,393,884	14	2
	...	...	...	...	...	...	3,393,884	14	2
Excess of Ordinary Current Revenue available for Public Works ... ..	...	...	...	...	...	...	514,566	8	11
Balances in hand at the commencement of the Financial Year ... ..	...	...	...	...	...	...	431,611	8	1
Aids to Revenue, inclusive of Sinking Funds released ... ..	...	...	...	...	...	...	673,174	9	11
Total ... ..	...	...	...	...	...	£	1,619,352	6	11
Total Ordinary Current Expenditure, 1876-77 ...	...	...	...	...	...	...	2,879,318	5	3
Excess of Ordinary Current Revenue available for Public Works ... ..	...	...	...	...	...	...	514,566	8	11
	...	...	...	...	...	...	3,393,884	14	2
Total Expenditure on Public Works, &c., 1876-77	...	...	...	...	...	...	1,284,658	15	0
Balance in hand at the close of the Financial Year	...	...	...	...	...	...	384,693	11	11
Total ... ..	...	...	...	...	...	£	1,619,352	6	11

The facts disclosed by this table are, to my mind, very significant. They show, beyond dispute, that the revenue of the colony is ample to meet all its liabilities; they also show the absolute necessity there was for the abolition of the provinces, and for the whole of the expenditure being brought under the control and responsibility of this House. The country, no doubt, thinks that our expenditure last year upon public works was the amount spent out of loan voted by this House—namely, £1,500,000—whereas, in truth, we expended last year nearly £3,000,000. It is perfectly clear that this colony is not justified in such an expenditure, and it is clear that this expenditure ought to come under the review of this House. This account also brings out another very satisfactory fact, as I think, although I am in absolute conflict with the Premier on this point, because he told us the other day that we proposed to increase the expenditure this year, and persisted in that statement. I am going to compare the statement I have just made with the proposals for expenditure which were submitted to the House when I was Colonial Treasurer—proposals which, I understand, have been accepted by the present Colonial Treasurer. Perhaps honorable gentlemen will not be able to follow me very clearly, but I will give the references, so that they can compare this statement with the Financial Statement, and see that the deductions I draw are absolutely correct. On page 9 of my Financial Statement it will be found that the total expen-

diture out of the consolidated revenue is set down at £2,393,000. In order to compare that with this account, we must deduct subsidies, £130,000; which leaves £2,265,000. To this we must add the cost of interest, surveys, &c., which is charged against Land Fund, £561,000, and we find the total expenditure to be £2,826,000. Upon reference to this account, which I hope will be laid upon the table by the Government, it will be seen that the total actual expenditure of last year was £2,879,000. To this must be added £30,000 paid out of loan in aid of the Constabulary, making a total expenditure of £2,909,000. If from this we take the proposed expenditure this year, we shall find that there is a balance to credit of £83,000. That is to say, our proposal is to spend £83,000 less than was actually expended last year. But that is not all, for, to compare the account fairly, you must take from the proposed expenditure this year £117,000, being the extra amount we have to pay for interest on money borrowed. You must also take out £51,000, the additional amount over last year's expenditure on account of the extension of railways, so that, if the accounts are fairly compared, it will be found that under the proposals this year there will be a saving of £250,000 upon the actual expenditure of last year. Now, Sir, that, to my mind, is a most satisfactory state of things. It shows clearly the justification there was for the abolition of the provinces; it shows that the Government were

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carefully considering the whole position, and that the reduction which we promised was actually made. I call upon any honorable gentleman who doubts these figures—I call upon the Hon. the Colonial Treasurer, in his reply—to prove that anything I have advanced is in any way incorrect. Sir, I now come to the present, and to what we proposed to do in the future. I shall presently examine the statement of the honorable gentleman, and his propositions. I am first going to examine the difficulties which he said he had discovered: I observe, however, with satisfaction, that, as he becomes better acquainted—and his acquaintance is yet but elementary—with the accounts of the colony, the difficulties he saw seem to have entirely disappeared. The honorable member when he first took office raised a question as to the possibility of meeting our liabilities owing to the want of cash. What has become of that difficulty? The honorable gentleman told us that he had to make bricks without straw. Has he succeeded in doing so? If he has, he ought to tell this House, because it is a secret which I, for my own part, would very much like to know, in order that I may take advantage of it should I ever again become Treasurer. As to the question of cash, if the honorable gentleman had considered the matter at all, and if he had really known the position of the accounts of the colony, the question of the want of cash to meet accruing liabilities would never have arisen, because we had made ample provision by arrangement with the Bank of New Zealand to advance more cash than the honorable gentleman can require; and the honorable gentleman, I presume, is well aware of that now. We had made ample provision, supposing the consolidated revenue fell short at any time, to meet all difficulties of that sort. Then, in regard to the provision to be made for this year, the honorable gentleman raised a great question. He did not know how—to use a homely term—both ends were to be made to meet. Well, he has accepted the whole of my figures relating to revenue, expenditure, and loans; he has told us that they are all satisfactory—that, to quote his own words, “I will at once admit, Sir, that it would be impossible for me to attempt to place more clearly before the House than the late Hon. the Colonial Treasurer has done all details in reference to the different loans which this colony has from time to time contracted;” and, by implication, this acceptance applies also to my treatment of revenue and expenditure. I have, therefore, only to refer him to my Financial Statement, where he will find how to balance the accounts for the present year, and I commend it to his further consideration. I now come to the question of how we were going to deal with our floating liabilities. How did we propose to meet the Treasury bills and deal with the one million which we had borrowed from the bank? We intended to provide permanently for these floating liabilities under the Inscription of Stock Bill. The Inscription of Stock Bill would have met that difficulty in the most satisfactory and complete way. We had hoped to have obtained that Bill last session—we thought

the Imperial Parliament would have passed an Act, and that we should have got a Bill through this Assembly; but we failed. Had the Bill passed last session, this question of the floating debt would already have become a thing of the past; and I say that our proposition compares most favourably with the proposition of the honorable gentleman, which will necessitate a double transaction. As I have shown, we had made proper provision for cash payments, we had marked out a course by which we could fund the floating debt—always supposing that this House had approved of it—and we had provided a reasonable finance for the present year. We had also—I am only going to touch upon this here, because I shall deal with it fully hereafter—made ample provision for the whole of the outstanding provincial liabilities. It is not a fact, and the Hon. the Colonial Treasurer must unquestionably know this now if he did not know it when he made his Statement, that there is a liability of £200,000 which we did not provide for. Presently I will go into the exact figures when I come to examine the honorable gentleman's Statement, and then the House can judge between him and me. It will be seen that our whole financial position had been carefully thought out; that we were following a well-devised plan; that we saw clearly how we were going to meet all our liabilities; and that we had made reasonable and wise provision to overcome all the difficulties which the honorable gentleman thinks or thought so formidable. Every fact and figure which I have given to-night can be verified or contradicted from published records easily accessible. We have had it from the Premier himself that he has now clearly and certainly ascertained the financial position of the colony. This we were told three weeks ago, and we had it last night from the Colonial Treasurer that he could not even hope to put before the House more clearly than I have done all the details of the loans which we have raised from time to time. I would point out that that covers a very great deal: it covers not only the borrowing, but the expending, and the liabilities as they now stand. What, then, becomes of the gross charges preferred against the late Government by the Hon. the Premier? They have all vanished: not one is even attempted to be substantiated. Upon that statement I am quite prepared that the country should judge between myself and the honorable gentleman. But, Sir, as we are to be judged by our past doings, I should like to take this opportunity of calling the attention of the House and the country to the state in which the Hon. the Premier left the country after some five or six years of almost absolute administration as Governor. Sir, I am going to call quite an impartial witness; I am going to read to you an extract from an address of this House to the then Governor. The time was when the House was trying to obtain responsible government, and the country will be able to judge between the promises which the honorable gentleman now makes and the performances which are therein recorded. This extract is from a paper laid before the English House of Commons. It is signed by



our late Speaker, Sir Charles Clifford, and is enclosed in a despatch of the Acting-Governor Wynyard: it is dated August, 1854. As I said before, the country is going to judge us upon our past acts. Now, the honorable gentleman the Premier has come forward as a great financier. He has told us that he was familiar with the accounts of the colony when I was in the cradle or in my early youth. He is set up as a great authority on these matters, as a man who can unravel the tangled skein and put the finances of this colony in a plain and palpable manner before the public. Well, let us see what he did when he had the absolute control of everything. As I have said, this document is urging the necessity of responsible government; and these, among other reasons, are given for the proposed change:—

"The necessity of such change has been made apparent from the actual state of the various departments of the Executive Government, and the condition of public affairs, as disclosed in the course of the business of the session. There appears to be no systematic plan for the management of Native affairs, or for effecting purchases of land from the Natives. The department of finance is without order or arrangement, nor, so far as we can learn, is there any effectual check over public expenditure. The Waste Lands Department requires thorough reorganization, not merely from its defective state, but in order to adapt it to recent changes. Complaints are heard from many quarters of the state of the Survey Department. There is no effectual system of public audit, and a difficulty is experienced in ascertaining the real state of the public accounts. Owing to this state of disorder and inefficiency, this House cannot, at this moment, ascertain the true state of the colony's outstanding liabilities.

"The accounts laid before us show wide discrepancies between the actual condition of the public finances and that stated in your Excellency's opening Address. Charges hitherto unknown to the public have been hitherto incurred which threaten to absorb the larger part of the territorial revenue of the southern provinces. Debentures on the public revenue are stated to be outstanding, issued without authority of law; claims on account of old debts, exceeding in the whole £100,000, still hang over the colony; a large mass of old land claims remain unsettled, as it is alleged, by default of the Government; and little or no progress has been made towards settling at rest disputes arising out of old land grants which, it is feared, may give rise to Native disturbances. Not only is there difficulty in ascertaining the extent of charges on the territorial revenue in the form of land scrip; but the issue of land scrip appears to be without any effectual check, control, or limit. A large percentage of the territorial revenue has been bargained away to the Natives without legal authority; public reserves have been improperly alienated; the Native reserves are without regulation by law.

"To sum up the case, the whole organization of government has appeared to this House in a state of weakness and disorder, demanding strong and immediate measures both for restoring it to

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healthy and vigorous action, and for adapting it to the recent constitutional changes.

"Under existing circumstances, the present officers of the Executive Government cannot, in the judgment of this House, continue to direct public affairs so as to satisfy the colony or win the confidence of the Legislature. They have been hitherto merely the instruments of a system of arbitrary rule, nor can it be expected that officers, under whose management disorders and abuses have grown up, should be ready and proper instruments for correcting them."

That, Sir, is the state in which the honorable gentleman left the colony after his last government—after a government of some six or seven years. It is always interesting to compare the promises of men with their actual performances. And now I come to consider the financial proposal which the honorable gentleman submitted to the House last night. Honorable members will see at a glance that the Statement is involved, inaccurate, and misleading. You have only to read the first paragraph and you will see that the honorable gentleman has not yet learned to distinguish between the Public Works Account and the consolidated revenue; he mixes up the two in such a way that nobody can form a clear idea of what he means. And yet he undertook to throw great light on the finances of the country. The honorable gentleman has learned wisdom by the short period of office he has enjoyed. He has evidently restrained the undisciplined ardour of his chief, because we all remember that, when that honorable gentleman proposed that we should change the incidence of taxation by running into the Ministerial room for a few minutes and bringing in a Bill, he at the same time said that he saw his way to immediately reduce the public expenditure by £100,000. But, now that he is in power, what does his Colonial Treasurer say? "As more than one-third of the present financial year has already elapsed"—

An Hon. MEMBER.—Hear, hear.

Major ATKINSON.—That would be a very fair reason for taking £33,000 off the £100,000, and I should not object to such a proposal; but it is to the following words I wish to call the attention of the House: "and as much patient inquiry is requisite to prevent changes and reorganization of this kind becoming mischievous, and even dangerous to the public service"—he will do what?—"I shall adopt the Estimates of my predecessors." There we have an instance of the large difference between performances and promises. The Premier says that £100,000 can, in the course of five minutes, be struck off the Estimates; but the Colonial Treasurer has wisely found out that there is another side to the question. Then he goes on to tell us that he has a great objection to the present system of finance. I wish he would tell us what the present system of finance is that he objects to. I should like him to be more definite on that point, for then I should not have to set up a man of straw to knock down, but should have some argument to answer. However, the honorable gentleman tells us he objects to the system. I ask, What is the system he objects to? Does he object to borrowing money for public

works?—for that is one part of the system. No, Sir, because he proposes to follow our footsteps in that respect. Does he object to borrowing money to consolidate our public debts? No, Sir, because, as I understand, the Premier—although there is some mystery in their finance at this point—proposes to carry through the Inscription of Stock Bill, and the Treasurer proposes to raise a loan of £4,000,000, one-half of which is for the purpose of consolidation. So that it is not to the system of consolidation that the honorable gentleman objects. Is it to borrowing in aid of revenue? No, Sir, certainly not, because, whereas I proposed to borrow £109,000 and charge it against the Otago Land Fund, the honorable gentleman proposes to borrow £300,000 in aid of the consolidated revenue. What, then, is the system to which the honorable gentleman objects? I have touched upon everything that we have been doing, and I should like to know what part of the system it is to which he objects. We now come to another paragraph. I was looking at the Colonial Treasurer the other day when my honorable friend the member for Totara got up and explained the desirability of considering another mode of obtaining supplies during the session of Parliament than by Imprest Supply Bills; and I was very much gratified by the eager interest which the Colonial Treasurer displayed. It was evidently a new light; and here we have it shadowed forth in the Statement. He has suddenly woke up to the fact that it is the duty of the Government to give this House more control over the money by calling the Assembly together some weeks earlier, or by altering the financial year. But has the honorable gentleman ever thought over what the consequence of that would be? Does he know that it was tried only a couple of years ago, and failed? Does he not know that it must necessitate this: that the House will have to be content to wait for some months for the Financial Statement, and, as is done in the Imperial Parliament, vote the Estimates irrespective of that Statement, or that the Statement will have to be based on estimates only for one quarter of the year and on actual facts for the other three quarters—that is to say, we shall have to assimilate our practice to that of the Imperial Parliament? I am perfectly certain that that will never be consented to by this House so long as our public works are of such great magnitude as compared with our ordinary revenue. We all know that this House invariably refuses to go on with the ordinary Estimates, or with any finance at all, till it has had the Financial Statement placed before it, and for this reason: that, whereas in England the finance is the ordinary expenditure of the country, here the real finance is the expenditure we make upon public works out of loan. If the proposal is carried out, that honorable gentleman will have to do what Sir Julius Vogel tried to do the year before last—namely, make his statement upon estimate for one quarter, and actual transactions for three quarters. I counsel the honorable gentleman not to try it. If he likes to do so, the House will not object; but I am quite certain it will be a failure. It is a matter

I have necessarily thought out very fully, and I believe it would be a very good plan if we could get the House to consent to it; but I say the House will never consent to it so long as our public works are so important a part of our finance. It is unnecessary for me to refer to the Treasury bills, as I have already dealt with that part of the subject; and I now come to the question of the provincial liabilities and the Supplementary Estimates, which I propose to treat at the same time. Here, I must confess, I am in a perfect maze. I have read the honorable gentleman's Statement, and I have thought sometimes that I must really know nothing about this account. At any rate, it is quite clear that either the honorable gentleman or I do not know anything about it. Let the House judge between us. The honorable gentleman says,—

“Up to the 30th June last the sum of £237,500 had been advanced from loan to meet payment of provincial liabilities; and there existed on that date, overdrafts at the bank on Provincial Account, the sum of £105,888, or an aggregate sum of £343,388”—why he should add the liability to the expenditure in this case I do not know—“which total may be reduced by £45,888, being the amount of balances in hand to meet liabilities on Provincial Account; thus leaving still unsupported the sum of £297,500.”

I want to know what “unsupported” means, for I confess that I am utterly incompetent to understand it. £237,500 of the amount having been actually paid some months ago, what support can it want? I trust the honorable gentleman will explain to us what he means. The truth is, this £105,888 has no business there at all: it is quite meaningless. He has included it in the next paragraph in the outstanding liabilities of £279,766, and why he now puts it into this paragraph I cannot tell. The £237,500 is the expenditure actually made out of loan between 1st January and 30th June last; the £105,888 is the amount of provincial overdrafts outstanding on the 30th June. Apparently the honorable gentleman has not been travelling on an even enough track—to use his own expression—and is going to travel on one still more rugged; and so it seems. He says, “There are known to be, at the date on which I am now speaking, still further liabilities on Provincial Account outstanding amounting to £279,766.” But that includes the overdraft. If the honorable gentleman will turn to the Provincial Liabilities Account, he will see that it is so. Then he goes on to say that this is “reducible by about £30,000”—he is right there—“due from Land Fund and other sources, leaving a total to be provided for in some manner of £249,766.” Now, Sir, the position of the Provincial Liabilities Account is this: Last year I asked for authority to raise £250,000 out of loan to meet provincial liabilities coming in for payment between the 1st January and the 30th June last. There was actually paid out of that amount, as the honorable gentleman stated, £237,000 up to the 30th June. I estimated the outstanding provincial liabilities at £227,000 on the 30th June last. I had not then received the report of the Provincial Auditor of

Otago, and could only make a rough estimate for that province. Therefore, in asking the House to make provision to meet the whole of the provincial liabilities, I asked for £259,000, to be taken out of the £2,000,000 the late Government proposed to raise, as will be seen in reference to my Financial Statement, in order to have a safe balance to cover all possible contingencies. I state now, again, most distinctly, that that amount provided for every species of provincial liability then outstanding or which ought to be outstanding at the present time. Every provincial liability then outstanding was provided for by that amount, and yet those honorable gentlemen have told the House and the country that there are liabilities to the amount of £200,000 not provided for. I am now giving a history of the matter, which those honorable gentlemen have failed to do, and therein have failed in their duty. Before I left office, as I pointed out in the Financial Statement which I had the honor to make in this House, I had prepared a list of all outstanding provincial liabilities, together with unexpended votes of the Provincial Councils—the unexpended votes which were in no way liabilities whatever. I will tell the House the history of those enormous votes for Otago. The honorable gentleman now the Minister for Lands when Superintendent of Otago had a correspondence with the late Government as to his large estimate of revenue, which he put down at £400,000 for nine months, I think. I am speaking from memory, and have not seen the papers upon the subject for fully a year, so that if I am wrong the honorable gentleman will correct me. After some correspondence with the Government, that amount was reduced by about £100,000, and votes were taken then, which are now under consideration and unexpended, upon this condition, and this condition only: that land was to be sold to meet them. There was never the slightest idea that these votes were to become burdens upon the colony. Such a thing was never for one moment entertained by any one. That, Sir, is the history of the Otago votes. This list—which the honorable gentleman, without consideration, took up and sent down to the House as provincial liabilities—was prepared, as I told the House in my Statement, to enable the late Government to determine which of these votes, in justice to the outlying districts, should be submitted for the favourable consideration of this House. We had that list prepared with the view of considering in Cabinet what votes we should submit for the approval of the House; but we had never any idea of sending them down as they were there. They had never been submitted to the Cabinet, and we had no idea of proposing that they should be charged against the consolidated revenue merely because Otago had chosen to vote enormous sums beyond its revenue, to the detriment of Auckland and other provinces—Auckland especially, which had kept within its means. Yet those honorable gentlemen, knowing all this—or, if they did not know it, they should have known it—came down and tell this House that we have neglected to make provision for this £200,000 for items which, without

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a shadow of reason, they call provincial liabilities. They are no more provincial liabilities than any votes we have to consider this session, and upon which no action has been taken, are colonial liabilities. We are absolutely free to reject one and all, and I hope the House will reject the majority of those of Otago unless they are made a local charge upon the Land Fund. We should not be justified one moment in voting these items unless they are locally charged, or equivalent votes taken for the other provinces. And here I would call the attention of the Auckland people to the conduct of the honorable gentleman at the head of the Government. There will come a time, as there was before, when the honorable gentleman will be known in his true character.

Mr. MACANDREW.—What about Nelson?

Major ATKINSON.—Nelson has much less than its share. I will explain any point the honorable gentleman may desire at the proper time. I am going to call the attention of the people of Auckland to the conduct of the honorable gentleman at the head of the Government. No doubt at the present time it is a thankless task, but, like many other up-hill works that have good in their nature, it will bear fruit in its time. I have known the time when the people of Auckland had a pretty accurate estimate of the honorable gentleman, and I have not the least doubt that they will take a true measure of him again before many months are over. The honorable gentleman has been calling out for justice to Auckland. His constant cry has been, "Why don't you give Auckland her dues?" But now that he has the power, what has he done? He has put down £246,000 for Otago, and £8,000 for Auckland. Otago had already received £100,000, and Auckland £10,000. So that £350,000, in round numbers, was to be given to Otago, and Auckland was to get justice by receiving £18,000. Sir, I want to know why the honorable gentleman did not think about this when the question was before the Cabinet. I cannot suppose these things were sent down without consideration, because those honorable gentlemen have come in to set everything right. We might have made a slip, but those honorable gentlemen are far above such weaknesses. Everything they do is well-considered, and done with a set and just purpose. I want to know why the honorable gentleman, in dealing with these provincial liabilities, has not endeavoured to get that justice for Auckland for which he has been so loudly calling. I must read the last paragraph relating to these provincial liabilities, because it is so absolutely contrary to fact. The honorable gentleman says, "From the Statement of the late Colonial Treasurer, the House will have seen that there remain no available balances from loans upon which I can pretend permanently to charge any of these payments"—"these payments" being provincial liabilities. Now I have shown that half of the provincial liabilities have actually been paid out of loans, and, out of the £2,000,000 loan which I submitted for the approval of the House, £259,000 was provided for this year—that is, more than sufficient to cover the whole of them at present remaining up-

paid. Then, what does the honorable gentleman mean by telling this House that there is no available fund upon which he could charge these liabilities? Sir, every one of them was amply provided for. We come now to the main feature in the honorable gentleman's finance. He is going to set the world right at last. He has found that, if he takes the Land Fund, if he "robs Canterbury," to put it in the words of the Premier, of a sufficient amount, he can balance his accounts; but I intend to show that he has entirely failed in the proposals which he has submitted to make both ends meet this year except by borrowing largely in aid of consolidated revenue. He proposes to attain two objects by the generalization of the Land Fund—to equalize the accounts, and to give confidence to the English money-lender. Now let us see how he proceeds to carry out these objects. There is, I may remark, a small discrepancy of £150,000, but that, I suppose, is a comparatively trivial error in a Financial Statement emanating from the honorable gentleman, which is supposed to be absolutely correct. In his statement of our estimate of Land Fund, the honorable gentleman tells us that the late Government estimated the Land Fund at £743,000. The estimate of the late Government, Sir, was £890,000, and if the honorable gentleman will turn to my Statement he will find it there. He has taken, not the Land Fund, but the land sales; but he is dealing with the Land Fund, and not the land sales only. That discrepancy is, of course, a venial offence on the part of the honorable gentlemen, who are of necessity absolutely accurate.

Mr. LARNACH.—I said "land sales" in my Statement.

Major ATKINSON.—The honorable gentleman must excuse me if I am in error. I take the honorable member's own Statement—the corrected Statement—and I find, in a paragraph headed "Land Fund—its Present Position," these words: "The Land Fund this year, I feel pleasure in saying, will be largely in excess of the sum estimated by the late Government. Their estimate was £743,000." I should be sorry to misrepresent the honorable gentleman, but I wish to point out that he had no business to deal with the land sales only, because he is dealing with the Land Fund. However, this may be a new light. It may be that he is going to deal with the land sales, and not with the Land Fund. If that is so, the House, I have no doubt, would like to know it. Now let us look at the proposals of the honorable gentleman. As I said, he proposes generally to accept my estimate of revenue and expenditure. It is known to you, Sir, that, in order to balance the revenue and expenditure, I proposed to take from the Land Fund of Otago and Canterbury the sum of £167,000. It is also known that, through striking out the capitation clauses of the Education Bill, the revenue will lose about £30,000, so that that also has to be provided. In round numbers, there is to be provided a sum of £200,000, in order to arrive at, what the honorable gentleman and all of us desire, an equilibrium of accounts: that is to say, to use the honorable gentleman's homely language, we shall

require that sum "to make both ends meet." Let us see how he proposes to do it; and here again I will take his own figures. He tells the House that the land revenue for this year is to amount to a million of money. I do not question whether that is right or wrong. He says that the Land Fund is to amount to £1,000,000. I accept that statement for the purposes of my argument. He does not propose to generalize the Land Fund until the 1st January. As a matter of fact, he has told us that, up to the 30th September last, Land Fund to the amount of £542,231 had been paid into the Treasury. Well, it will not require a very great stretch of imagination to suppose that by the 1st January there will have been paid into the Treasury another £100,000. I have no doubt it will be a great deal more, but I am taking the figures of my honorable friend. Well, then, we shall be in this position: By the 1st January, of the million estimated by the honorable gentleman we shall have received £650,000; so that of the Land Fund this year there will go into the colonial chest £350,000. But of that amount the honorable gentleman proposes to localize £70,000, that is, 20 per cent., so that the actual receipts of the Colonial Treasury will be £280,000. But, Sir, the permanent charges upon the Land Fund for the six months from the 1st January to the 30th June amount to £322,000; that is half of the permanent charges, which amount to £643,000. Therefore the honorable gentleman will receive £280,000 from the Land Fund, and he will have to pay £320,000; so that, in order to cover a deficit which he has caused through not following the finance I submitted, he will have to meet an extra deficit of £40,000. Sir, I ask the honorable gentleman how he is going to do it. I call upon him to tell the House that, when he makes his reply. If I did not know that the honorable gentleman was so straightforward, and was going to let us have the whole truth and nothing but the truth, I should have thought he was rather concealing what he meant to do. When I turn to the end of his Statement I find that the honorable gentleman proposes to raise £300,000 in aid of the consolidated revenue nominally to repay public works; but this transaction really means aiding the consolidated revenue to that amount. Is that the way the honorable gentleman is going to meet his deficit?—because that is the only possible way under the present Statement. He was exceedingly angry and wroth with me for proposing to raise £109,000 against the Otago Land Fund. I have shown that he has got to meet a deficit of £240,000 this year after taking the Land Fund as proposed, and the only possible way of doing so under this Statement is by raising the £300,000 by loan direct in aid of the consolidated revenue. And this is the Government which is going to do away with all borrowing in aid of the consolidated revenue by taking the Land Fund. The Land Fund, in order to make a balance of accounts, must amount in this year to £1,300,000. If the honorable gentleman were to obtain £650,000 during the next half-year, then he would nearly get a balance. But, of course, I am arguing on

the figures with which he has supplied us, and these figures are what we are bound to take as the probable outcome of the year's revenue. I say nothing of the very curious and apparently contradictory statements the honorable gentleman makes with regard to taking the Land Fund: I have accepted it as a fact that he means to do so. I find, however, that there is a great diversity of opinion as to his real meaning. I have read over very carefully those three paragraphs in reference to the Land Fund, and have consulted with other honorable gentlemen who read them over carefully; but none of us come to the same conclusion. It appears to me that he proposes to generalize the Land Fund by localizing it. He proposes to give 20 per cent. to the districts, and he proposes to spend the other 80 per cent. in the localities in which it is raised. I do not know if that is the proposal, but I hope, at any rate, if it is not, that he will put it in a little clearer light when he replies. But, Sir, the honorable gentleman says that, if, after due consideration, the Government should find that the interests of the colony necessitate it, they are prepared to undertake the main roads of the colony. Well, that may be very desirable. I know one or two counties that would be very glad indeed to have the main roads taken over immediately; but has the honorable gentleman really considered what this means? It means something like an extra deficit of half-a-million of money. And yet the honorable gentleman talks of it in this off-hand manner. Having already, by his mode of taking the Land Fund for the half-year, caused a larger deficit, he proposes to take over the maintenance of main roads, if advisable. If advisable, Sir! I can tell the honorable gentleman he will very soon find that it is unavoidable. If he gives such a hint as that to the counties, he will have such pressure put upon him as it will be almost impossible to resist: and where, then, will be the equilibrium of finance? The honorable gentleman, Sir, says he is going to do a great deal in the way of reduction of departmental expenditure. But he is going to put off doing so for the present. Now, although the Premier has told us that he could put his finger exactly on the places where the reductions could be made to the extent of £100,000, when he is put to the test he proposes to take time during the recess to consider it. But he is going to do a great work by reducing Ministers' salaries. Well, I confess I have an utter contempt for such a proposal. It means this: that the Government of the colony is to be given over to adventurers, or to men of considerable property. I say that you cannot obtain for the proposed salary the class of man that this House has a right to demand, unless he is a rich man. I appeal to the experience of honorable gentlemen who have been Ministers, whether any one of them did not go back a considerably poorer man than when he took office. I appeal to any Minister who has been in office, and I say that that is an absolute fact. If the honorable gentleman doubts it, let him have a Committee, and examine past Ministers. I am quite willing to come up to be examined. And here, Sir, in the item now under consideration I

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find another little inaccuracy. It is desirable to point it out, not that it is material, but because we are supposed to have nothing but what is absolutely accurate in this Statement. The honorable gentleman says that the Public Accounts Committee reported on the advisability of selling the "Hinemoa." Sir, the Public Accounts Committee have never made any report on the subject. The Weather Reporting Committee made a report; but they recommended, not that she should be sold, but that she should be kept. I, for one, as a North Island man, should exceedingly regret to see that steamer sold. I look upon the possession of the "Hinemoa" as a matter of insurance, as I look upon the necessity of maintaining a certain number of Armed Constabulary in the North Island. I say the Government will be doing a great wrong, both as regards the population of the North Island and as regards the possibility of great disasters in connection with the lighthouses, if they do not keep within their own authority a steamer ready for any emergency. I may state that when we were building a lighthouse at the Brothers, before we got the "Stella," we were actually obliged to abandon the work, because we could not find a steamer to go there for love or money. We had to go and beg the owners of a steamer to take off the men, who were in danger of starving there. Our request was granted, not in the way of business, but rather out of humanity. I say it is absolutely absurd to permit such a state of things to occur again. Then we come to railway management. I am not going to enter upon that question now, but I would point out to the honorable gentleman that here he is also apparently in the greatest darkness. He looks forward to an early report from the Railway Committee. But that Committee reported on the 6th November; their report was laid on the table a fortnight ago; and, Sir, the honorable gentleman was a member of that Committee. So thoroughly has the honorable gentleman mastered the details of his department; so thoroughly has he watched the organization, and considered the great reforms he was going to introduce! Now I come to the question of the loan. The honorable gentleman proposes to raise a four million loan. I would like to know why. Is the honorable gentleman going on with the Inscription of Stock Bill? If so, then a four million loan is unnecessary. He cannot possibly want more than two millions and a half. Even supposing he should persuade this House—which I do not think he will—to vote those provincial liabilities as they now stand, he could not want more than that amount. If he wishes to fund the Treasury bills, it will be a much simpler process to do so directly under the Inscription of Stock Bill than to raise the money as an ordinary loan, and then at considerable extra cost to inscribe it afterwards. Here I would like to call attention to a paragraph which, I must confess, I read with very great pain indeed, because it is absolutely at variance with fact. It is as follows:—

"The practice of concealing—perhaps unintentionally—the amount of the colonial indebtedness by the issue of Treasury bills and the raising of

temporary loans in the colonies, has an effect even worse than imposing directly on the Home creditor. It encourages the people of this colony to fancy their liabilities to be smaller than they really are, and to agitate for a greater expenditure than the colony can afford. Fuller details of these questions will be given when the Loan Bill is brought down."

Now, I call upon the honorable gentleman to produce a single Financial Statement for the last seven years in which the whole of our indebtedness in Treasury bills, in advances, or in any form, is not fully set forth and summed up, and the whole amount treated as a liability of the colony. If he cannot do that, let him get up at once and retract the statement. I further call upon him to show a single statement by any public man of the colony, in which the question of the indebtedness of the colony has been discussed, where it has not invariably been the practice to include Treasury bills and every other liability for which the colony was indebted. I call upon him to show a single instance. As for concealing, I say that the public men of the colony, instead of concealing, have endeavoured upon every occasion rather to exaggerate than to diminish the public debt. If the honorable gentleman turns to any Financial Statement, or to the annual volume of statistics, he will find all the facts set forth. Then, I ask, what does the honorable gentleman mean by making such a statement in his place as a Minister of the Crown? I ask the honorable gentleman to turn to the volume of Statistics, or to Table A in every Financial Statement, and he will there see the true indebtedness of the colony, including Treasury bills and advances, as well as long-dated bonds. It is also stated in the body of the Financial Statement. Then how is it possible for the English creditor, or any person in the colony, to be misled in this matter? I say that the majority of the people in the colony do not distinguish between Treasury bills and the other indebtedness of the colony. They always look upon the indebtedness as one, and are indifferent as to the bonds under which the money has been borrowed. Sir, I have shown that the honorable gentleman has not only failed to make up the deficit caused by his rejection of my proposals by taking the Land Fund, but that he has even succeeded in increasing the deficit by £40,000. But, Sir, the honorable gentleman has another object in view in generalizing the Land Fund: he also desires to reassure the English creditor—the English money-lender. Now, I will ask honorable gentleman to turn to page 12 of the Statement, Table 1, to see the mode by which he proposes to reassure the English creditor. And this, Sir, is the way in which he proceeds to carry out so desirable an object: He shows that after taking all the Land Fund, and after providing for what he is pleased to term ordinary expenditure—though he ought to know, and must know, that some £700,000 of what he has put down is not ordinary expenditure in any sense of the term, although any one not acquainted with the colonial accounts would be led to suppose so from finding it so stated by the Colonial

Treasurer—he has got a deficit of £711,000. This then, Sir, is his way of reassuring the English creditor by proving, by means of an absolutely false account, that we have a deficit, after taking the whole of the Land Fund, of £711,000. Sir, this is indeed good security upon which to found further borrowing. I should think that the honorable gentleman could borrow any amount upon that security. Now let us examine some of the details of this statement of expenditure. In it he includes—"Supplementary Estimates: Consolidated Fund, £112,000." He ought to know that included in that amount of £112,000 is £64,000 of liabilities, and that that amount is already taken off in striking the balance of £148,000, the surplus with which we began the year, and which surplus the honorable gentleman has accepted as correct, for he uses it in this table. Sir, I ask the honorable gentleman whether he knows that he has committed this error. If he does not, I say he ought to know it. Then I will ask him if it is honest and straightforward to put down the so-called provincial liabilities of £615,000 in this account at all, having no intention whatever of making it a charge against the revenue of this year. Sir, was it ever contemplated by this House that the provincial liabilities should be met out of revenue? Does the honorable gentleman himself contemplate meeting them in that way? Does any one believe for a moment that it is possible to make them a charge against the consolidated revenue? If the honorable gentleman meant to make them a charge against the consolidated revenue he ought to have told us so, and he ought to show us how he is going to make up the deficit of £711,000, as shown by this table. But, Sir, supposing the honorable gentleman did really propose to make this £615,000 a charge against the revenue, he was bound to have told the House, and taken credit for the following items which are assets, against this sum:—

From Consolidated Fund, under "Provincial Public Works Advances Act, 1874"...	£4,000
Balance of Loan, £250,000, voted last year	12,500
Receivable from the Trust and Loan Company ...	46,000
From Canterbury Railway Renewal Fund ...	32,715
Reclaimed Land, Wellington ...	100,000
Miscellaneous resources ...	3,000
	£198,215

But, Sir, I suppose that these are trifles beneath the consideration of the honorable gentleman—although he has undertaken to set the finances before the country with absolute accuracy. So much for Table No. 1: let us now look at Table No. 2. In that I think I perceive the work of the Hon. the Premier. I may be mistaken, but, at any rate, it is uncommonly like his work to calculate the daily rate of receipts and of expenditure. Did any Treasurer ever make out such a Statement before? What can be its object? Sir, I dare not say; but that it must, if it has any effect at all, deceive and mislead the public is certain; for any one would suppose, when told by the Colonial Treasurer that our daily expenditure exceeded our receipts by £1,900 a day, that nothing would be included in the expenditure except recurring expenditure; whereas in this

case provincial liabilities are included to the extent of £615,000, and Supplementary Estimates which have been already provided for. I dare say the next thing the honorable gentleman will do will be to calculate how many pounds we spend in each minute. I say it is a very serious thing for the Colonial Treasurer—the gentleman responsible to this House for the finances of the colony—to put forth such a statement as that. I will say nothing more than that I think it exceedingly wrong in a person in his position to act as he has done in this matter. The Cash Balances Account, as shown on pages 10 and 11 of the Colonial Treasurer's Statement, is also misleading. It is an account which is prepared for the Treasurer weekly, and can only be understood by those having the key. I would ask what the public would understand on being told that there was a debit balance in London of £207,776, and a credit balance in the colony of £437,896, and saw one subtracted from the other in the account. They would naturally think that there was only a cash credit of £230,120. Nobody can understand the account unless he is acquainted with the manner in which this account is worked. I say that the debit balance which is said to exist in London is merely an imaginary balance. It is a mere matter of account. We have £300,000 worth of guaranteed debentures in London, and our London Agents are instructed to raise money on them from time to time to meet our requirements. The Auditors, knowing the amount of guaranteed debentures which we have in London, free, permit the Treasury to draw orders within that amount; but, until the Agents in London have reported what money they have raised to meet the drafts, it is not brought to credit, and so appears as in this case as a debit balance, although we have, as a matter of fact, money to our credit in London. These sums should therefore be added together, and not subtracted, and the balance of unpledged debentures should also be added if it is wished to know how we really stand; yet the Treasurer says not one word upon this subject. The Hon. the Premier made a great point when he referred to the £300,000 which under the authority of law had been borrowed from the Public Works Account, but could not, so he said, be repaid; and the Colonial Treasurer seems to have adopted the same views. Now the history of the £300,000 is this: The consolidated revenue is sufficient to meet the charges upon it, aided by certain contributions from the Land Fund in the manner which I proposed for the present year. But, Sir, large payments have frequently to be made at the beginning of a quarter, before the consolidated revenue has come in, and it is very often necessary to issue what are called deficiency bills to meet those payments. In England Exchequer bills are issued for the purpose. The Public Revenues Act authorizes the Government to issue deficiency bills to the amount of £300,000, or to borrow that from the Public Works Account. These deficiency bills have a certain short currency, and have always to be paid within a limited period. When we have a large amount of public works money to our credit, instead

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of borrowing at 5 per cent. upon deficiency bills, we use the money which we have in hand and for which we only receive 3 per cent., thus effecting a considerable saving of interest. The money borrowed from the Public Works Account is always repaid at the end of the year. The whole operation is neither more nor less than an easy means of obtaining a working balance, and the deficiency bills are identical with the Exchequer bills which are issued in England. Therefore, I say, it is simply misleading the House and the country to say that the £300,000 will not be repaid from the Consolidated Fund. We might, of course—although it would be curious finance—raise a permanent loan to make a working balance instead of issuing deficiency bills. If the honorable gentleman proposes to adopt that course we shall be able to consider whether it is advisable or not. My idea is that the present arrangement is the preferable one: at any rate, it is one which is most satisfactory to English financiers. I have to thank the House for having listened to me so attentively, and to express my regret that I have had to detain honorable members so long; but I felt that the subject was one of very great importance, and I was anxious to put it as fully as possible before the House. I hope I have succeeded in showing clearly that the finance of the last few years has not been a "hand-to-mouth" finance, or, in the words of the Colonial Treasurer, "a pawnbroking finance," but that we have always acted with a clear object in view, and that all our actions have been well and deliberately considered. With regard to the raising of a million of money from the banks in the colony, I may say that last year I called the attention of the House to the fact that it would be well to raise the money in the colony. The House assented to the proposal, and before raising the money we took advice on the subject from three influential quarters in London, and they all concurred in recommending us to follow the course we did. Therefore it is utterly wrong to call that "pawnbroking finance." Sir, I have shown that the finance of the last few years was reasonable, and that we really saw what we were doing, and I say that, had we been permitted to continue in office, we should have placed the finance of the colony, in the course of a few months, in a thoroughly satisfactory position. I have also shown, I think, that the Statement of the Colonial Treasurer, which I hold in my hand, is involved, unreliable, and misleading, and that the honorable gentleman has failed entirely to show anything like an equilibrium of the accounts: in fact, his proposals, if his figures are reliable, if given effect to will leave a deficit of £240,000 to be provided for, and this can only be met, not by borrowing, as I propose, £109,000 against the Otago Land Fund, but by raising, as proposed by the honorable gentleman, £300,000 in aid of consolidated revenue.

Sir G. GREY. — The task which I have to perform in answering the honorable gentleman who has just spoken is in one respect difficult. I have to answer a very rambling statement, an excessively ill-arranged speech; and it is impos-

sible to make a reply to such a speech at all interesting, and impossible for the speaker to carry his auditors with him. I shall have to ramble from point to point: necessarily I must strive to reply to his arguments somewhat in the order in which they occurred. I shall endeavour to do so, and shall try to lead the House to a different conclusion from that to which he strove to lead honorable members. The honorable gentleman opened his speech by explaining that we were wrong in thinking that the Government to which he had belonged was a continuous Government. I believe, Sir, that he dealt disingenuously with that subject. We affirm that it was a continuous Ministry, and one of an exceedingly bad kind—a Government the object of which was to keep itself in office—a Government which got its strength, not by any power or ability in its own ranks, but by leading one by one the best men away from the Opposition—gentlemen who they thought might bring them strength—thereby threatening and creating dismay in the ranks of the Opposition. They took the unconstitutional course of destroying all party government; they adopted the wrong course of preventing the voice of the people being heard within this Assembly, because coalitions were always taking place: thus hoping to preserve, at all risks, a majority which might enable them to carry out plans opposed to the public interests, however well calculated they may have been to promote the views of their friends. Thus they were a continuous Government. But that Government has, we believe, for ever been destroyed. We believe that such a system will never again arise in this House. Then the honorable gentleman went on to try to show us that the great evils and difficulties which had fallen upon New Zealand have arisen from the existence of provincial institutions in this country. To that I reply, Sir, that he knew very well that the difficulties did not arise from the provincial system in its integrity, but that it arose because, the House of Representatives having deprived the provinces of their powers and revenues, and having thoroughly impoverished them, their existence became an impossibility. Had they allowed the provinces to retain the revenues placed at their disposal by law, they would now have been in healthy and active operation, and none of those difficulties would have arisen upon the floor of this House which occurred when the General Assembly of New Zealand, or, rather, the House of Representatives, grasped the funds of the provinces, and scrambled for them within the walls of this House. That was the beginning of our misfortunes—that was the ruin of the provincial system; and the honorable gentleman knows that.

Major ATKINSON.—No.

Sir G. GREY.—He says he does not know it. He may tell that to the House and the country, but I know what they will think with regard to that statement. The honorable gentleman then went on to describe, in glowing terms, what had been done by the Government of which he was a member. There is always difficulty in meeting such a statement. Masses of figures are

hurriedly quoted—perhaps, often incorrectly, but the incorrectness of which it is impossible to show during a hurried debate. Into the details of that I will go presently; but he spoke with what, considering the facts of the case, I may say was an audacity of manner which filled me with surprise. He told us there were no difficulties, and that there was ample cash to meet all demands—

Major ATKINSON.—Hear, hear.

Sir G. GREY.—The honorable gentleman says, "Hear, hear." He said he had made arrangements with the Bank of New Zealand by which we could borrow more money. That was his statement. Is that amplexness of cash? Has the honorable gentleman no sense of shame? Has he become so accustomed to indebtedness, to living upon charity, to holding out his hands for aid, that he considers the concealed power of borrowing money from unwise persons as an amplexness of cash? What is our amplexness of cash? At the present moment, our engagements in this country amount to very large sums to be paid out of the Consolidated Fund. I see the honorable gentleman smiling. He ought to be ashamed of leaving the country in such a state. I would prefer to see that he felt sorrow for the difficulties into which he has plunged New Zealand. The balance we have in the Treasury on this day, to meet our wants, is £24,761; and the total sum we have at our command at the present moment, calculating all accounts in every place, is £228,419. The honorable gentleman told us that he had borrowed a sum of £300,000 from the Public Works Account, but that it would be repaid at the end of the year, and could easily be repaid. He knew that such was not the case.

Major ATKINSON.—I knew no such thing.

Sir G. GREY.—He knew no such thing. I know that what he said was not true, and he ought to have known it. I hold in my hand a memorandum from the Secretary to the Treasury, dated the 18th November. He says,—

"The Public Works Account now shows a nominal overdraft of £226,496 18s. 2d.; against which there is available the amount of the Guaranteed Debentures yet in hand, £375,000; giving, as the available ways and means of the Public Works Account to-day, £148,503 1s. 10d. The expenditure on Public Works Account for the past six weeks has been at the rate of about £27,000 a week; and, at that rate, the balance of £148,000, above referred to, will be exhausted in five or six weeks. As you are aware, the Consolidated Fund is indebted to the Public Works Account for an advance of £300,000; but I see no probability of the Consolidated Fund being in a position to repay the amount at present.—C. T. BATKIN."

Major ATKINSON.—At the end of the year.

Sir G. GREY.—It cannot. He must know that there is a deficiency in the present state of the colony with regard to finance. Then, on the 1st February next, we have to meet in London a sum of £326,247, for which no provision has been made. That is for interest upon our loans. Such is our position, and that is what the honorable gentleman calls amplexness of cash. The



next thing we were told, Sir, was that we could get out of all our difficulties by means of the Bill for the inscription of stock. I may say that in my belief it is doubtful if it is desirable that we should go on with that Bill. I believe our doing so would be disadvantageous to the country, as it simply means that we should write fresh loans against the credit of the colony. It is simply another means of borrowing. One would have imagined that great profit was to be gained by the transaction; but it is nothing of the kind. It is simply a proposal to borrow further sums. Having fed so long upon charity, the honorable gentleman now wishes to call into existence another being, unaccustomed to his wiles, with whom he may deal with some chance of success. A more impudent proposal was never made in any Legislature. The honorable gentleman then said that, with regard to the provincial liabilities, ample provision had been made to meet them. I listened with the greatest interest, and wondered where were these ample means. I even ventured to ask "How?" but no answer was elicited; he simply said that provision had been made. I say that no provision has been made. Where are the funds? £24,761 is all the money we possess. Where is the provision? I ask; and Kebo answers, Where! It is visionary. The honorable gentleman then proceeded to attack myself, and he read a statement made against the Government, in 1854, some time after I had quitted the colony, when the General Assembly desired, above all things, to see responsible government introduced into this colony, and when the General Assembly was bound to find the best reasons for making that demand. Under such circumstances that document was written. The honorable gentleman then left me alone till a later period of his speech, when he addressed the population of Auckland, and told me that my present action would bear fruit, as my action had borne in the past. My answer to that is, that the past has borne fruit; that years have elapsed; that the tooth of disappointment has ceased to gnaw upon my good name, as far as these times are concerned; that the hatred of disappointed men in those days has ceased to pursue me; and that the people more calmly judge of the past. That fruit of which he warned me has been this: that my fellow-countrymen have now rewarded me with their affection and with their regard—that the calmness of the historian has had to deal with those events, and the statements of passionate and disappointed men of the time are taken at their true value. And I have no doubt that, when another five-and-thirty years have passed from the present moment, the railings of the honorable gentleman against me will also be forgotten: that the fruit that will then surround my grave will be similar to the garlands which those who have been so kind to me lately have, may I say, placed upon my head. I do not fear the threat which the honorable gentleman holds out. I know that then, so many years ago, I earnestly devoted myself to promote the welfare of this country. I know that, in my old age, I am trying to do the same thing. I

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know that Death is following me with closely-approaching steps; and my only desire is that, in the short time that is left me, I may hastily accomplish all the good that I would gladly achieve for this country. Sir, I utterly disregard the taunts which the honorable gentleman in that respect threw out. The honorable member stated that I had talked a great deal of the reduction of the expenditure, but that I had done nothing. Sir, one month I have been in office, and during that month a Fury has pursued me, in the shape of the honorable member for Egmont. He has given me no rest. He has occupied by reproaches every moment of my time. He has been doing nothing but clamouring for return to office again. He has embittered my existence here, springing to his feet at every moment with a vote of want of confidence, or inducing the representative of Wellington City to propose a vote of censure; and then, quarrelling with him for trying to put himself at the head of the Opposition, so that, perchance, he might be sent for by the Governor, and thus prevent the honorable member for Egmont from again enjoying his monthly pay, he compelled the honorable member for Wellington City to withdraw the notice of his motion. Such are the difficulties that I have had to contend against during all this month. With the aid of my colleagues, I have had to devise a great plan which we hoped might extricate this country from its difficulties, and restore to the people the liberties of which they have been defrauded. It has been no easy task, and even in the midst of that task we have had to rely upon the retrenchment which we believe we can carry out. Am I to be reproached by the honorable gentleman that in this short period of time we have not been able to accomplish more? I say that our position has been one full of difficulties. The honorable gentleman had the whole recess to prepare his Estimates and his Financial Statement; and how dexterously he has managed, up to the present moment, to prevent us from discussing the Financial Statement! We have had, during this long session, no fair opportunity afforded for bringing that Statement of his under consideration; but, keeping our noses to the grindstone by the party which he had at his back, he has forced from us a Financial Statement. On one night it is delivered, and the next night our enemy, with his railing tongue, is upon us. He told this House that he and his friends had always taken care that Parliament should scrutinize every penny that they spent, and carefully vote what sums they proposed to expend. He knew well enough that in succeeding sessions we never could get at the Financial Statement. He knew perfectly well that, for the years he has been in office, he got impost supplies passed, as he has done this session: that really the expenditure in large measure was incurred before any sums were voted: that he sprang to his feet if we said a word about it. When we said that the statements put forth were wrong, he said, "I challenge honorable gentlemen to prove that; I will by-and-by give them an opportunity of proving it; I will then make them prove it; I will force them to prove it." Myself and the honorable member for Par-

nell waited last session for a month, and yet no opportunity was afforded. The honorable member for Parnell went away; he gave it up in despair: and it was not until the very end of the session that the honorable gentleman allowed the Financial Statement to come under consideration at all. How different has our conduct been! We have shrunk from nothing of the kind. We have attempted to keep nothing back from the House, nor to prevent the immediate discussion of measures that we have brought forward. I ask the House to contrast these two lines of conduct. Then, in a very triumphant tone, the honorable gentleman said that we had adopted his financial measures—that my honorable colleague the Colonial Treasurer adopted the Estimates as they stood. What was the meaning of that, Sir? What time had we, at this period of the session, to prepare Estimates? The honorable gentleman knows perfectly well that the main portions of those Estimates relate to services that go on year by year, and that the mere adoption of them signifies nothing at all. We adopted them, stating that we disapproved of them, and that we intended enormously to reduce them. How could we, in the few weeks that were left to us, tell exactly what all those reductions should be? He knew, as well as I, that we could not have done that, and that the course we took was the one most conducive to the public interests. We say that we bring them forward simply as matters to be voted by the House—as indicating an expenditure which is not to be surpassed; and we pledge ourselves to the House to keep our expenditure greatly within those Estimates. I think that plan was wise; I think it was prudent; and I believe it to be one that will commend itself to this House and to the whole of New Zealand. Then, Sir, the honorable gentleman asked—and he asked in a triumphant tone; he looked across the House at myself, as much as to say that I ought to sink into utter insignificance or to subside in shame—what was the objection to his finance? My objections to it are that it was a finance for friends, not for the people of New Zealand. That is my first objection to the finance of the honorable gentleman. I disapprove of a finance beginning with, "My dear Pollen, I have lived rather extravagantly. I want so much more money." I have an objection to a finance which makes roads and railroads through property occupied by persons who are enormously enriched thereby, whereas the cost of those roads and railroads has to be defrayed by the community at large, who are reaping no advantage from them. I object, Sir, to a finance which entails unnecessary expenditure upon the country. I object to a finance which I regard as a finance for friends. What I look forward to is a finance for New Zealand, regulated by the people themselves, based upon a fair system of taxation, based upon every item expended being voted by this House—a finance approved of by a House of Representatives fairly elected by the people of New Zealand, and actually representing the entire population of this country. That, Sir, is what I call a proper system of finance. The objection I have to that system

which we hope to see abolished, never to be restored, is, that it was not a system of finance of that kind. Sir, part of our system of finance is this: that sums realized by dealing with the public lands of the colony shall pass into the Consolidated Fund, and be voted by the people of New Zealand through their representatives. A result of that system of finance will be, that it will be impossible unlawfully or by wrong means to dispose of any portion of the public lands, because the whole people of New Zealand will have an interest in every acre in this country. There will no longer be confiscated lands to be dealt with down in the Government House, the Governor being required to put his name, as a matter of form, to certain Orders in Council which are to secure lands for friends. Such things cannot take place under one fair land law and one Land Fund for the whole population of New Zealand. No acre of land can then be parted with except under laws watched by this House in their execution as well as in the mode by which they are passed. Contrast the one system of finance with the other, and then say, am not I justified in raising objections to that system which has hitherto prevailed, and of which the honorable gentleman is so enamoured? Let him appeal to the constituencies of this country, and ask what are their objections to that system of finance. Let him go into the home of the artisan, taxed to pay to make roads to the door of some great landed proprietor, and ask him what are his objections to that system of finance. Let him ask the whole population of New Zealand whether they approve of a system of finance the effect of which is to enrich a certain class by the impoverishment of all the rest. I say that such a system of finance must cease to exist here—must vanish from this country, never to return. And the honorable gentleman may depend upon it that the knell has struck—that himself and his finance will never more be heard of here. The honorable gentleman spoke a great deal upon the subject of provincial liabilities. I have simply to say that the statement we laid before the House is an absolutely correct statement, prepared by the Government department, handed to us as accurate, scrutinized by ourselves, and established to our satisfaction. I was shocked at one part of the honorable gentleman's proposal. He said that I was wronging Auckland, because I was doing justice to other places. It was a misfortune, perhaps, to Auckland not to have any large claims included in these provincial liabilities, because of the prudence of those who administered her affairs, and who would not allow the Council to pass estimates beyond the revenue. My desire to aid Auckland is no reason why I should do wrong to other people. It was an improper proposal to make to me, that I should wrong the public in other parts of New Zealand, because justice had not been done to Auckland. And, Sir, the Auckland people would scorn a proposition of that kind. They will rely upon the liberality of the House to remedy the injustice which has been done to them. Scant justice can, at least, be rendered; but it would be no justice to rob others to give to them. We admit the claims

of other provinces unhesitatingly; but we will attempt to defraud none—we will attempt to rob none; and we shall do justice to Auckland without taking from other provinces that which is their due. Auckland will bear me out in this. I do not fear that; but, did I fear it, I would do my duty still. The honorable gentleman tells us that, to balance revenue and expenditure under our proposals, a sum of £200,000 is required, and he asks us how we propose to provide it. I say that it is impossible for us to put any really true estimate before this House until we can fully ascertain the reductions we can make in the expenditure. It is well to cry out upon us and say, "Do this instantly: do it without delay." Sir, we will do it prudently; we will do it wisely. Next session, we shall have fully seen what reductions in the public expenditure can be carried out—and we are well advised that they are very large—and when that is done we will come to the House with proper Estimates and every possible detail, and we will ask the House to adopt those Estimates. But, until that time comes, the House must have confidence in us, and must say, "Provided you do not exceed the sum which your predecessors said was necessary, do what you like. Make every reduction you can—we rely upon you to do that; but we will not be so unwise as to positively demand that, within the short period of time you have been in office, pressed upon by the thousand cares which have beset you, you shall attempt to furnish Estimates of that nature. We know that it will be unfair to you and unfair to the country to expect you to do so—that you could only mislead us and mislead others; and you must not mind that gentleman, hungering for office, who comes from Mount Egnont, and who does not represent our views and feelings. We will deal more fairly and more generously with you." We are confident that amongst those whom the honorable gentleman styles his followers there are men who will deal more generously and more fairly with us than he has done. We feel sure of that, Sir; and, in making the request for generous confidence which we have made, we feel that we have preferred no request which is not justified, or which ought not at once to be conceded to us. I feel sure that, if that confidence is bestowed, we shall yet be able to extricate New Zealand from the difficulties which threaten it; that next session we shall produce a Financial Statement satisfactory alike to the House and to the country, and shall propose to Parliament estimates which will meet a general and wide-spread approval. The honorable gentleman then proceeded to say that I had made a statement that £27,000,000 had been spent in five years, and he told the House that that was absolutely inaccurate. I think the sum he mentioned in correction, as that which had really been expended, was £11,000,000. To that I answer, that out of the consolidated revenue and the Land Fund, during five years, £12,426,000 has been spent; that out of borrowed money £13,000,000 has been spent; and in provincial expenditure £1,500,000: making a total of £26,926,000. That has been the expenditure during five years.

Major ATKINSON.—What the honorable

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gentleman did say was that I had raised and spent twenty-seven millions of money. That was the statement.

Sir G. GREY.—I never said that that sum had been raised by the honorable gentleman. I knew his powers of mendacity were great, but I never believed that the world contained people so foolish as to lend to him £27,000,000 in five years. Those who know me will give me credit for greater wisdom than that. The honorable gentleman commented upon our proposed reduction of the salaries of Ministers; and, Sir, in so doing, he made remarks derogatory to the character of the people of this country. He said that, if Ministers' salaries were reduced, the government of the colony would be given over to adventurers. In my belief, to give exorbitant salaries would be the means of inducing adventurers to aspire to office. I hold that the best means by which you could draw adventurers into the struggle and strife for office would be, to hold out great rewards in the shape of high salaries. I believe that there are quiet and prudent men in this colony who will well administer its affairs upon moderate salaries; and I think it was an insult to the entire community of New Zealand to say that, unless you gave high salaries, you would not have in office the "kind of men"—that was the expression used—that this country wanted. I have travelled over every part of New Zealand. I know men who have been living upon small farms for years—men who received a high education, many of them professional men, men of ability equal to any one in this House, living upon small incomes, perfectly capable of administering the affairs of the country; and those men would gladly fulfil their duty to the country for less salaries than we propose to give. The honorable gentleman shakes his head; but I say that such is the case. I say that there are now in public life in New Zealand men whose parents were in circumstances of comparative poverty, not well off at all, and that those men are amongst the leading minds that we have in New Zealand at the present day—that in public life, in public offices, in every department of the State, they have raised themselves to important positions, they have honorably and faithfully fulfilled their duties, and they are now amongst the leading men of the country. They began with small salaries; and, notwithstanding the taunts heaped upon myself by the honorable gentleman, I say that, in former years, when salaries were small, and when there was a fair opening given to every man in the colony, that ability was brought forward which has since adorned New Zealand in so many offices, so many stations of life. I say that increase of salaries beyond a certain amount has only added to extravagance, and has not created ability in public life. I believe that it has rather led to worthless men struggling for office than the contrary; and I believe that a return to principles of economy and of prudence in the lives of our public men will be a great boon to the colony, and a worthy example to set. In other young communities we have seen that principle established and worked out. How small was the

income that Washington ever had from the State! Was he degraded by living in a small house in his old age, upon a small income? Have the greatest men America ever produced had such incomes as have been given here? Why, the President of the United States is not so highly paid as our Governor, and yet he rules one of the greatest nations in the world. And what men that people have had as rulers! Yet the honorable member for Egmont can stand up here and traduce such men! Men like himself must have £1,800 a year, and fine houses to live in, all provided at the public expense. They can get no brains, they can get no integrity, unless at high salaries of that kind. I say, the Lord deliver us from such men! Let us try a different system, and we shall have less public expense. Great private expense leads to great public expense. The whole thing is upon a wrong system. Let us begin properly at the top here, and then go lower down, gradually proceeding through each rank as far as necessary. You will find that you will soon reach a rank where you must stop—a point where it would be hard to make reductions in salaries; but there must be an end to these high salaries. The idea of adequate payment for all services, however high or however humble, is a forgotten idea in the colony, but one which must be enforced here. Then the honorable gentleman was very witty—extremely witty—with regard to my honorable friend the Colonial Treasurer, because that honorable gentleman said he hoped in a few days the Railways Management Committee would make their report, which report had already been made, although it has only to-night been put in our hands in a printed form; and yet the honorable gentleman, speaking of my honorable friend, says that this mistake was a great crime to be laid to our charge. I hope my honorable colleague the Colonial Treasurer feels humbled, as he ought to do, and is now satisfied that conclusive proof has been given that, with all his knowledge of business, and all his devotion to duty, he is absolutely unfit to sit on these benches because he made use of such an expression. Oh, Sir, when such things are to be accomplished in this country as are now required to be done, that the honorable member for Egmont should get up and say, "You are unworthy to undertake these things, because you did not know that the Railway Management Committee's report was issued"! The man who could make a mistake of that kind is, we are asked to suppose, quite unfit to carry out a great plan of making the Land Fund consolidated revenue. He is quite incapable of telling the people of New Zealand that there shall be fair and liberal land laws for the future, under which all, whether they have influence or no influence, whether they have wealthy friends or no wealthy friends, shall have the same right to buy the land which is the common property of all! What a fatal objection has been brought against us in this respect! What right have we to complain of the vast expenditure which has gone on hitherto, or the worse than useless way in which the public funds have been squandered, when

a mistake of that kind can be made? The Inscription of Stock Bill was then alluded to; but I have already referred to that, and need not say any more about it. I will pass on to the remarks upon the subject of the floating debt. We were accused of saying something very wrong when we stated that the effect of a floating debt was to conceal our real position from the public creditor. I say that such a floating debt does conceal our position from the public creditor. I say the public creditor in London knows nothing of the million borrowed from the banks here, or of the £832,000 of Treasury bills issued here. The honorable gentleman says, "Is it not all to be found in my Statement?" He believes, Sir, that the trump of Fame blows his name all over the world—that it is ringing in all ears; that his Statement occupies all minds in Great Britain, from the occupant of the throne even to the groom in the stable; that they have all fair warning of the sums the honorable gentleman is borrowing here. I say, No. The funded debt of the colony is what they look to; and no honest State, at this distance from the London market, ought to have a floating debt such as we have. I quite agree with the remarks which my honorable colleague made, and I say that not only does a floating debt of that kind conceal our position from the public creditor at Home, but it also, to a great extent, conceals our real position from the people of the colony, and leads to their making demands for expenditure of money which I believe they would not make if thoroughly acquainted with their real position. Then my honorable friend was taunted with this: "Ah! ah! you wish to inspire confidence in the money market in respect to the colony, and what do you do? You have a deficit, and you show it." But I reply, that will inspire confidence. I say that to boast, as the honorable gentleman opposite did, that he had a surplus when he had none—to telegraph to London that the surplus last year was so and so, when there was no surplus—was not the way to inspire confidence. I say that the plain, blunt honesty of my honorable colleague, telling the truth, the whole truth, and concealing nothing, will inspire confidence.

Major ATKINSON.—Read the papers.

Sir G. GREY.—I assert the honorable gentleman had no surplus last year.

Major ATKINSON.—I must correct the honorable gentleman. Here is the statement of the present Colonial Treasurer that there was a surplus of £148,220.

Sir G. GREY.—The honorable gentleman knows perfectly well that the Colonial Treasurer said that, for the purpose of argument, he adopted the figures of his predecessor, and that amount had to be shown. My honorable colleague sits next to me, and he will answer for himself that he does not believe that there was any surplus last year; and he believes, as I do, that a delusion was presented to this House. It was the belief of all those who entered into the accounts that such was the case; and I say the plain, blunt, and honest statement of the real position of our affairs will restore confidence in

the money market at Home, and will clearly prove that we have laid the absolute state of our affairs before this country and before the public creditor at Home, showing, as it does, that a deficiency is likely to occur this year, but that our assets on the whole are good, and that it is certain that we shall be able next year to make a good and favourable Statement. That will restore confidence far more than the system of boasting of surpluses which do not exist, of telegraphing those surpluses Home, of having the telegrams inserted in all the papers, and then, at the end of each month, having them cut out of the newspapers, pasted into a book, and sent out for the gratification, I suppose, of the Colonial Treasurer, who all the time is laughing at the way in which people at Home were being gulled. I say the system of my honorable colleague is the true and honest system—a system which will commend itself to every man. Then we were told that we had no business to put the provincial liabilities forward in the way we have done—the propriety of the step was altogether questioned; but I say that it was our duty to tell the truth, and the whole truth. We have kept nothing back that we knew. That we as yet know all the liabilities of the colony I am not well assured; but it was our duty to bring forward everything that we knew. An attack was made upon myself the other night in reference to this matter. It was said that I brought forward claims made by contractors against the Government, and that I ought not to have done so. I assert that it was my duty to tell the House that those claims were in question, but I was told that I ought not to have done so.

Mr. McLEAN.—I said the honorable gentleman was treating them as liabilities of the colony when they were not.

Sir G. GREY.—I said there was a contingent liability existing against the colony; and I was surprised at the honorable member for Waikouaiti making the remarks he did. He thought I ought to have joined in that plan of concealment which he pursued; but I say it was my duty to make that statement. I was justified in what I said, seeing that the very first of these claims, one for £800, which had been tested by the inquiry of a Committee, was allowed *in toto*, as a legitimate liability. The whole of these claims amount to £170,000, and, when the liability of the colony was proved in regard to the first, it was a very startling fact. It was our duty to make to this House a plain and true statement of every liability that came under our knowledge, which the colony might have to meet. Then the honorable member was pleased to say—and this is the last thing I shall comment upon—that the cash balances published with the Financial Statement are entirely misleading. That certainly amazed me. They are the absolute cash balances of the colony. They are true; they are accurate; and how anything true and accurate can be misleading I cannot understand. They are not only true and accurate, but they were published in the precise form in which they are furnished for the information of the Government. We desired the House to have a perfect knowledge of the state

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of our affairs, and we laid before it the cash balances in the exact form in which they came to our own knowledge. How, then, could we have desired to mislead the House in laying these balances before it? I must say that, of all the unfair accusations I have ever heard made, that was the most unfair. The honorable gentleman made it for reasons that to me are utterly incomprehensible. I can only assure the House that the cash balances in these tables are true, exact, and the very balances put before the Government for their guidance, and that I could have no desire to mislead the House, and my honorable colleagues could have no such desire, in laying those statements before it. I have now followed the honorable gentleman throughout his statements, and have replied to them to the best of my ability. I think I have shown that they were in the main fallacious. I hope I have convinced honorable members that there was nothing in those statements which should disentitle us to the confidence of the House. I should not have replied with the asperity that I may perhaps be considered to have shown, had I not been compelled to meet an attack which I regard as eminently unfair and unnecessary. If the honorable gentleman had confined himself to a defence of his own finance, or to an exposition of ours, it would have been a different matter. But attacks were made on myself and others, and even the honorable gentleman's defence of his own system of finance was unfair. I believe the House feels that that system is unsound, and that it is necessary that a great change should take place in New Zealand—that a policy shall be established which shall be the policy of the people and not of a class. I and my colleagues are determined to strive to establish such a policy, and to base it upon such a sound system of representation that it will be the fault of the people themselves if it is ever disturbed after we have once established it. If we succeed in doing that, I, for myself, shall be prepared to pass away from this world; and I know that my colleagues, on their part, will be prepared to retire from public life, and to rest contented that they have conferred a vast boon upon the inhabitants of New Zealand.

Mr. McLEAN.—Although unprepared to speak this evening, I should not like to see this debate brought to a close without saying a few words. I may say, at the outset, that I do not think the Premier has in any way answered the arguments or disturbed the figures of my honorable friend the late Colonial Treasurer: in fact, he has only touched on a very few of them, and to those I will confine myself, and not tire the House with a repetition of what my late colleague has so ably dealt with. The Premier has endeavoured to throw dust in the eyes of the people of New Zealand by the use of high-flown language which I could never venture to imitate. I do not profess to have a fine flow of language, neither have I that facility for gulling the public which the Premier possesses; but I venture to say that all the gulling that he has indulged in will not satisfy the public of Otago and Canterbury that he is justified in robbing them of that which is their right. It is for the purpose of condemning the proposals which the honorable gentleman and

those associated with him have dared to bring down to this House, that I raise my voice against him to-night—proposals coming from the honorable member for Dunedin City (Mr. Macandrew), a man that Otago, from the treatment he had received at her hands, would expect to be her protector. The honorable gentleman said the statement of my honorable friend the member for Egmont was a rambling statement; but did anybody ever listen to a more rambling statement than that to which the honorable gentleman treated the House? Sir, if I were to use the same pitiful voice and take out my handkerchief and weep, it is possible that I also might get some sympathy from honorable members. It only required the honorable gentleman to take out his handkerchief and wipe his eyes to complete the scene. But I venture to make this remark: that if any other honorable member had been guilty of using such language as the honorable gentleman has used he would have been hooted down. Amongst other rambling statements, the honorable gentleman said the object of the late Government was to keep in office, and to carry out schemes for the benefit of their friends rather than for the advancement of the public good. It is very easy to make such wild statements, but why did not the honorable gentleman particularize instances in support of that statement? He could not do so, for the reason that no such cases existed. I dare him or any other honorable member to point to one single instance where we have benefited our friends to the sacrifice of public interests, or to point to any cases where the late Government perpetrated any injustice, either directly or indirectly, by which the public interests suffered. He said that we were in possession of large sums of money which were squandered to benefit our friends. The very contrary is the fact. I am sorry to say that since I have been in office we have been compelled to pull the purse-strings very tightly, in order that the expenditure should be brought within reasonable limits. It was absolutely necessary to do so for the sake of maintaining our credit in London, and to put our finances in a sounder position. Sir, it is no easy task to pull the strings tight and at the same time to satisfy the public, after the lavish expenditure to which they have become accustomed in all parts of the country. The difficulties we had to face were of no ordinary character. We had to maintain the credit of the colony—to curtail our expenditure and bring it within our means; and every impartial man will admit that we have in a great measure succeeded. And to think that, after all our pains, after all the efforts which we have made to induce the people of the colony to be frugal, they are to be completely upset by the action of the present Government; that we dare not go into the money market without the fear that our loans would be placed at a discount, and that we should appear discreditable in the eyes of the other colonies! Why, Sir, the great aim of the Government since I have been connected with it has been to try to raise our securities, and to deal with them in such a way that they would stand as high as those of any other Australian colony. Well, Sir, I am anxious to

see the Estimates of those honorable gentlemen, that we may judge how far they have carried out their professions. It will be found, when they bring down their Estimates, that they have a very large expenditure to provide for—far greater than we should ever have thought of proposing—an expenditure which they have no means of meeting, and for which, they say, they are going into the London money market for a loan of four millions. The honorable gentleman also said that if the provinces had the revenue which properly belonged to them they would have been able to carry on without any assistance, and that Abolition need not have taken place. I dispute that entirely. I say that it was the extravagance of the provinces, and the constant pressure they brought to bear on this House, that led to their Abolition. The House was driven into it. I could never see where this borrowing was to end; and it was with the view of providing a system of finance that would keep our expenditure within our income that members voted for doing away with the provinces. While the provinces lasted they were the buffers between the public and this House, and the public could never ascertain the state of the finances. Even an expert could hardly understand them on account of the partnership accounts. But now we are getting into a simple system of accounts that any one in the colony can understand. That is not owing to the honorable gentlemen who are now on the Government benches. That simplicity of finance has been brought about by my colleague the late Colonial Treasurer. The honorable gentleman said we were borrowing from the bank and living on charity. Now, I would like to know whether, if any one in this House goes to a merchant or a bank and borrows money for a certain number of years at a fixed rate of interest, he is living on charity. Have we not a right to make a bargain for a period with any one for money, and is that living on charity, and not an ordinary daily business transaction? Is there any difference between borrowing in the colony and borrowing in London? Will not the borrower know that we raise money in the colony if we do so? There is no necessity to go to London if we can borrow money elsewhere on equally favourable terms: the markets of the world are open to us, and we can borrow where we please. If we do borrow it is shown in the Financial Statement of the Colonial Treasurer, which is accessible to every investor in London or in the colonies. When a loan is tendered for in London the number of people who tender is small, because the public deal through their agents, who take very good care that the whole indebtedness is placed before investors before they take the bonds. Therefore it is useless to say that we hid our finance in any way from the public creditor. Our finance was quite as open and straightforward as any finance in any part of the colonies or the British Empire. The honorable member pleaded poverty, and said, "Look at the position in which we are placed! The total amount of our credit on every account is £228,000." It is his duty, if he takes office, to see what the state of the finances is, and to provide for the future. We left him fully

in funds, with ample securities to pledge. There was also a stated agreement with the bank to borrow money. We left him power to raise £500,000, which is not touched at the present time, and he has now got a considerable sum, by his own confession, to the credit of those accounts. I may here refer to the statement of the bank account produced by the Colonial Treasurer. He states that there is a debit balance in London of £60,000. I say that there is no such thing as that debit balance. If the Imperial guaranteed debentures are brought to account, we have money in London to pay the whole interest and necessary expenditure there up to the 15th January next. He made a great point that the consolidated revenue had no chance of paying back £300,000. That was fairly explained by the late Colonial Treasurer. The Consolidated Fund showed at the end of the last financial year that, when the fund is in credit, at the end of the year, it would bear that sum as it ought to do; so that completely proved that there is no deficiency there. Then the honorable gentleman read a memorandum from the Treasury, stating that £325,000 would have to be paid in London in February. We are perfectly aware of that, and we provided ample funds in London to meet that payment. Honorable gentlemen on those benches must understand that we have been some time in session now, and from what we see I think it is probable the session is only beginning. That being the case, those honorable gentlemen must not think that they are to sit there quietly and allow the money to run short. They must be prepared, even during the sitting of this Assembly, to look to their Ways and Means to provide funds for carrying on public works. The money we left will not last for ever, and the Government must be careful that they do not run short. However, they seem to make a very feeble attempt to provide the funds that are necessary. The honorable gentleman spoke of the Inscription of Stock Bill, and said that they were opposed to secret borrowing. Now, what we proposed to do with the Inscription of Stock Bill was this: to take power to inscribe all our stock, and to take power to inscribe the £800,000 of Treasury bills. There is no need for that to be put into a loan: it is part of the debt of the colony, and it is so shown. By this means we proposed, as the stock became inscribed, to gradually release the Sinking Fund, and by the increase in railway returns we should have sufficient next year to make our expenditure come within our income, and pay the amount charged on the Consolidated Fund for education as well, which has hitherto been charged to the Land Fund. That was why we had no idea of stating any special finance further than this year. Without such a robbery as the honorable gentleman proposes with regard to the Land Fund of Otago and Canterbury, we were prepared to show next year that by the decrease in expenditure, by the release of the Sinking Fund, and by the increase of the railway returns, there would have been amply sufficient funds to meet all our expenditure. It was very hard for those who, like myself, had no care to take office, to be

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held up throughout the southern provinces as members who were agreeing to perpetrate a robbery of the Land Fund, when the reverse was the case, as would be seen by the late Government making it a question of life and death to them. Where now are those men who professed that they would sacrifice everything rather than consent to the Land Fund being taken? I shall make those honorable gentlemen go into the lobby and show who are about to perpetrate this robbery, and show the people of Otago which of us have hitherto been their honest and earnest friends. I fail to see that even the ingenuity of the honorable member for Dunedin City (Mr. Stout) will be sufficient to convince the people of Otago that white is black. He will not be able to gull the people of Otago, and to persuade them to make such a sacrifice by saying that the state of the colony is such that the Land Fund must be taken. What was the meaning of all the statements which appeared in "own correspondents'" letters throughout the colony—which statements were no doubt prompted—that there were going to be great discrepancies shown in the finance of the late Government, and that the colony was in such a state that it must be saved in some way? We all knew what that meant. It was all done with the object of enabling those honorable gentlemen to seize on the Land Fund. That was to be their excuse. I am sorry to see the senior member for Dunedin City (Mr. Macandrew) agreeing to such a proposal. I expected that he would stand up manfully in the Cabinet and not allow this robbery to be committed. This is a case in which the people of the Southern Island are being robbed by their friends, and not by their enemies. It was well put by the Native Minister, who said, "Gentlemen, we are respectable highwaymen. We take the Land Fund openly." The Postmaster-General used to speak very strongly on this subject when he was on the Opposition benches. He got up on one occasion, and was scarcely able to talk with rage. The honorable gentleman got so red that I was afraid he would fall down in an apoplectic fit, and denounced the Government strongly for taking any of the Land Fund. Now, let him tell us what he is going to do. I will show him what he is going to do. The revenue from land sales for the first quarter of the financial year in Canterbury amounted to £480,000. That was for the first quarter of the year. I suppose it is a fair calculation to make that during the remaining nine months the total revenue will be equal to the amount collected in the one quarter. That would give a total for land sales in Canterbury of nearly one million. Now, let us take the proposal made by the Government. I put the most liberal construction upon their proposal. I have not yet learnt whether they propose to give the 20 per cent. before any charges are put on it. I will give them the benefit of the doubt, and say that they will give the 20 per cent. before any charges are placed on the Land Fund. Then I will even add the charges hitherto placed on the Land Fund, and that will make in round numbers about £300,000. That will be £700,000 which it is proposed to launch into the coffers

of the colony from the people of Canterbury. That would be the effect of these gentlemen's proposals were they to date them from the 30th of June last. If from the 1st January next, of course the amount would probably be less. But does the honorable gentleman think that, if these sales take place, those trustworthy farmers for whom he says he has so much respect, and who hold him in such esteem that they have sent him up to this House, will, for the sake of sentiment, be pleased to give up £700,000? Does he think that sentiment will cause them to permit their land to be pilfered by gentleman highway-robbers? Now, I will show how it may affect Otago. Some of the honorable gentlemen who come from Otago have been saying that the Land Fund of that district was short last year to the extent of £35,000. I will state the reason why the Land Fund was short to that amount. I will take the land sales of Otago for the nine months preceding the coming into operation of the Abolition Act. During that period the land which was sold realized nearly £300,000. Perhaps the honorable gentleman does not know that in Otago the lands have to be declared into hundreds and surveyed before they are sold; and the result was that, when Abolition became law, there was very little surveyed land left. No wonder, then, that they were short £35,000 in their Land Fund. We put down the amount which we expected would be realized by the sale of land in Otago this year at £200,000, and, considering the trouble which the Waste Lands Board is now taking to open up a large area of land for settlement, I have no hesitation in saying, no matter what the Colonial Treasurer may think, that the amount realized can be made much nearer £300,000. That amount could be obtained without any difficulty whatever, and without being detrimental to settlement. If the land is open for selection, and is sold to *bond fide* settlers, in fair-sized sections, £300,000 may easily be obtained for it. Suppose we take the calculation of the honorable gentlemen themselves. We will suppose that the land will realize £200,000: then by the proposals of the late Government there would be £112,000 to divide amongst the counties; but, if it should realize £300,000, then there would be over £200,000 to divide amongst the counties. Now, what is the position under the proposal of the present Government? If you take 20 per cent. off the £300,000, that will be £60,000 for the counties and £240,000 to go into the colonial coffers; but supposing it only realizes £200,000, then out of that sum the distribution to counties and Road Boards would only be £40,000. The difference you have to divide amongst the counties, as compared with the amount you would have under the proposals of the late Government, would be to the detriment of Otago, supposing the sales realize £300,000, about £150,000, and under the £200,000 about £70,000—consequently that much less to divide amongst the counties and Road Boards. Depend upon it the people of Otago will not be robbed of that with impunity. The late Government had no doubt that in Otago, as in every other provincial district, the land

would realize the amount which was calculated upon by them. The amount realized for the first quarter, in comparison with that estimated, from the land sales in Auckland was certainly small, but it would be very easy to put in the market the Patutahi and a few other blocks to swell the amount. In Otago there is a large quantity of land which has not yet been opened to the public, and the Land Fund there is likely to be very high for years—very much higher, in fact, than in any other part of the colony. Sir, if these lands are to be all sacrificed, and put into the common pot by those honorable gentlemen, I shall deeply regret it. I think the honorable member for Dunedin City (Mr. Macandrew) will no doubt find that the people of Otago will consider that he has something of some importance to answer for. I do not think that he will find himself to be that popular gentleman which he once was: in fact, the representatives of the two provinces will not, I fancy, be so highly thought of by their constituents in future. The Hon. the Native Minister the other day told us that the Government were quite ready to go to the country on this question. Well, I dare say most of the northern members are willing to do the same; but let us see what the South will say to it. I am very sorry that the honorable gentlemen who come from Otago did not, like their predecessors, hold firmly to the Financial Arrangements Act, which bestowed the Land Fund on the provinces. I dare say it is true, as the Native Minister has said, that any honorable gentleman who takes a seat on those benches must carry out the policy which they have shadowed forth. I suppose it must be carried out. I believe no honorable gentlemen could now hold their places on those benches who did not carry out that policy; and representatives in the Government from Canterbury and Otago are entirely responsible for that state of matters. I am sorry to see honorable gentlemen like Mr. Stout and the other members for Otago consenting to the perpetration of this robbery of their own province. I am sorry that, for party purposes, they should agree to that. Now, Sir, the Premier has said that no provision was made to meet the provincial liabilities; but if he had looked into the matter at all he must know perfectly well that, of the loan which was obtained from the colonial banks, £250,000 was placed to the credit of the Provincial Liabilities Account, and to that amount they are wiped off. If that had not been done, where would the money which had been already paid on account of provincial liabilities be? Then, again, a further sum of £250,000 was provided out of the two million loan which we proposed to raise. If the present Government choose to put all sorts of charges on the provincial liabilities, I cannot say what amount will have to be provided. All I can say is that we amply provided for all necessary sums. There is no necessity whatever for putting so many charges on provincial liabilities. Then, in answer to my late colleague, the Premier stated that in 1854 the Assembly was compelled to give reasons for seeking representative government. I am extremely sorry that the honorable gentleman should



make such an excuse for his misdeeds. There was no need for the Assembly to give any such reasons: The honorable gentleman has also said that he was at one time hated by men, who, however, had now ceased to persecute him. Well, Sir, that is the cry of "Pity the sorrows of a poor old man." It finds no favour in the House, having now got so completely used to it, and I hope the day will soon come when it will find no favour in the country. All that my late colleague stated was, that when the honorable gentleman had the management of the affairs of the country in his own hands those affairs were not too well managed; and that statement is fully borne out by the resolution of the Assembly that he read, and it was made in answer to an assertion by the Premier—for it is mere assertion—that the late Government have mismanaged the finances of the colony, and that everything is in a state of chaos. The late Colonial Treasurer has compared his conduct with that of the Premier. He has shown that that honorable gentleman, when he managed the affairs of the colony according to his own will, not being responsible to a General Assembly for his acts, did not succeed to the satisfaction of the colony. If this House now agrees to a proposal it becomes responsible for it as well as the Government. The honorable gentleman said that he has met with thirty-seven years of antagonism, and that now those who have been opposed to him regret that they have been opposed to him. He says all he cares for now is to put the finances of the country on a good footing; but I am sure that, if New Zealand has to wait until that honorable gentleman puts the finances on a firm footing, it will have to wait for a long time indeed. I may say for myself that I would not at all mind that honorable gentleman having the control of the affairs of New Zealand for a year, for then, I believe, he would show his utter incapacity in his old days to govern the country. It does not do for a Rip Van Winkle to come forward for the purpose of taking charge of the affairs of a colony inhabited as this is by a very energetic and enterprising people. The man who undertakes that duty must not have lain dormant for a number of years and hidden himself on an island far away from the people. Such a man must not think that he can come out and take up the same position that he held before he retired to his island home. Things have greatly changed since the honorable gentleman went into retirement, and he could not assume the position he once held. It is not easy for a man who is absent only for a year to come back and pick up the thread of affairs. He said he was going to extricate the country from its embarrassment, and to free the people. I have no doubt that he can relieve the country of its embarrassment by perpetrating a robbery on the Middle Island, an operation not needed and quite uncalled for. I utterly repudiate the idea that there was any embarrassment; but, even were it so, what has that to do with freeing the people? I do not know a freer people than the people of New Zealand; and of this I am sure: that, for every poor, unfortunate man in New Zealand, you will find ten in any of the neighbouring colonies. In this

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colony any man who can work can earn a living. There may be a time in the winter when work is scarce, but if a man is careful he can gather together sufficient in the summer-time to render him almost independent of work during the winter months. Then the honorable gentleman went on further to object to our finance, and said we had financed for the benefit of our friends. That is another of the wild statements he is in the habit of making. I do not for a moment believe that the country gives credit to such assertions. They are most unfounded, and I hurl them back with contempt. We have done nothing for our friends; but I should not be surprised if the present Government, after they have been a year in office, are not found so clean-handed as they at present profess to be. From what one can now gather, I have no doubt whatever they will assist their friends. I also deny his statement that we have made railways and roads for the benefit of our friends. Let him point out any particular case, or any portion of the colony, in which a road or a railway has been made for the benefit of our friends. The railways are all passed by this House, and this House becomes responsible for them. He followed that up by saying that the artisans were taxed to make roads for the friends of the late Ministers. I would like to know where there is a road that has been made out of Customs revenue. The Consolidated Fund is scarcely sufficient to meet the ordinary demands made upon it, and it is quite out of the question that a portion of it should be diverted for the purpose of making roads. Where, then, is the truth of the honorable gentleman's statement? Then the honorable gentleman took exception to our estimate of the provincial liabilities. I can say this: that nothing was brought before the House by the late Government until it had been debated in Cabinet, and in matters like the provincial liabilities each item would be carefully debated. These provincial liabilities which the honorable gentleman spoke of were never brought before the Cabinet, and therefore they cannot be treated as those of the late Government. It appears that these gentlemen took up the list which the Minister for Public Works had made of the applications for works, and that they noted it down as the proposals of the late Government. The members of the late Government, with the exception of one, never saw it. Such a proposal would never have been brought down until every single item had been discussed. It had not been discussed, and I disclaim any responsibility for that list. The honorable gentleman then went on to say that the House must vote them a lump sum to expend as they pleased. I should require to have very great confidence in any Ministry before I could agree to such a proposal, and, as I have no confidence whatever in those gentlemen, I can never vote for such a thing. If I were a member of the Government I should never have the assurance to ask for such a thing. It is a monstrous proposal, and I hope the House will not agree to it. The honorable gentleman always pleads for time. He now wants time to extricate New Zealand from her difficulties. Sir, I believe

he will come down next session with exactly the same plan. When he was on the Opposition benches he wanted to take £350,000 or £400,000 off the Customs revenue, and raise that sum by means of direct taxation, and he was to do it all in half-an-hour. But he never calculated that that would be something like 3s. in the pound all over the colony. Where is the Government that dare make such a proposal? And, if it were proposed and carried, I am sure the people would not be able to pay such a tax. I quite agree that the incidence of taxation must be considered in some way; but I do not see any prospect of that question being considered if those gentlemen remain on those benches, although the honorable member for Akaroa made such a vigorous declamation that that policy would ring from end to end of the land; and the honorable member for Dunedin City said he wanted all party feeling put aside in order that this great question might be considered and agreed to. If the finances are to be changed in such a manner as that, the honorable gentlemen on that side will get the colony into such a mess that it will be most difficult for competent men to get it clear again. The honorable gentleman at the head of the Government made great sport of what was said about his colleague the Colonial Treasurer in reference to the report of the Railway Management Committee. The Colonial Treasurer was a member of that Committee, and must have known what the Committee proposed to recommend. He could not have been ignorant of the nature of that report. Then he went on to talk about raising a loan in a close market, and made use of certain expressions of which he ought to be ashamed. I do not think it was worthy of the Premier to make such a statement as he made. Should loans be floated in the colony, they are floated in a public way. Our debentures are offered to tender, and it does not matter where or how they are purchased. There is no secreting of information. From the statements laid before this House, and which are to be seen either in Melbourne, Sydney, or London, our full indebtedness may be discovered at any time. The statements most likely to damage our credit are statements such as those contained in the Financial Statement now before us. We find the Treasurer setting down the estimated revenue as £3,690,026, the expenditure at £4,410,238; and the deficiency is declared to be £711,212, the amount he is to get by the confiscation of the Land Fund of Otago and Canterbury not being shown. How is that deficiency made up? It is made up by charging in the account of ordinary expenditure £661,024 for provincial liabilities. Who ever, throughout the colony, would expect that the indebtedness of the provinces should be paid out of the consolidated revenue? The liabilities of the provinces must be paid out of loan, and cannot be paid by any other means. We cannot afford to pay them out of the consolidated revenue, and it was never intended or proposed to do so, and to put such an item as provincial liabilities in a statement of our ordinary expenditure is to adopt a course calculated to damn our credit. It is injuring our credit in every way, and if that statement

goes forth to the London money market the Government will never raise the four million loan. There will be a repetition of what took place in respect to the Otago loans when 6 per cent. debentures sold at 75 per cent. with somewhat of accrued interest as well. It is to the benefit of some gentlemen who deal in bonds to cry down debentures of a colony whose credit has suffered, so as to buy them up cheaply. These bonds are only bought by a small number of people. It is their interest to decry our credit. This is what is called bearing our securities—and those honorable gentlemen are helping them to do that—so that they may buy the debentures at a cheap rate, and afterwards, when our credit recovers, sell them at a large profit. If those honorable gentlemen endeavour to face the London money market for a four million loan at present, they will fail, and the result will be that they will be going down to Otago and sacrificing our land in very large blocks in order to get the colony out of difficulties. That is what they will resort to. I warn those honorable gentlemen that it is not by any means necessary for them to ask for a four million loan, and by asking for that loan they damage our credit, they damage themselves, and they will not be able to get the money. Then the honorable gentleman was very funny about the telegrams that went Home to England. He said they were put into the papers, and that the Colonial Treasurer chuckled at how he gulled the people of England. But the people of England are not so easily gulled. Those who invest in our debentures are not so easily gulled, for they will sift any statement made, and the gentlemen of the Stock Exchange are perfectly capable of pulling a Statement to pieces, of seeing how the revenue and expenditure stand, and whether we are in a solvent state or not. The honorable gentlemen need not fear that they are likely to be gulled. The honorable gentleman then said that I stated the other day that he should not make known to the colony that there were railway claims against the Government to the amount of £170,000. I said nothing of the sort. What I said was that he had no right to count that £170,000 as part of our liabilities, and he had no right to count it as a deficiency in our accounts, but only as a contingent liability. He states that the first claim sent before the Committee was paid in full; but the Committee might have been got round in an easy manner. They only take half the evidence. They take *ex parte* statements, never seek for other evidence, and then they bring down a report recommending that the money be paid. The Public Petitions Committee is so deluged with petitions that it is not able to properly investigate claims. These claims should be investigated by people who are able to sift them thoroughly. I should be very sorry to see these claims brought before a Committee of the House, claims amounting to £170,000, and dealt with rudely in that way. I never found fault with the honorable gentleman for stating that the claims existed, but I did find fault with him for stating that they were a deficiency upon our account. I am satisfied, from the papers I have looked through, that if we get fair-play

these claims will not have to be met; and we have no right to take them into account. If they are to be taken into account they must be paid out of loan, being on account of railway contracts, which have all been constructed out of loan, and, if these have to be paid, why should they be treated differently? I have already referred to what the honorable gentleman stated about the cash balance. My honorable friend the late Colonial Treasurer merely stated what was the fact—namely, that the amount of the guaranteed debentures in London were left there as cash, and would only be borrowed on to meet the exigencies of the colony. If they borrowed money, and put it to the credit of the account, instead of it being £60,000 in debt it would show nearly £300,000 to its credit. That is what we reckoned on as being the sum on hand when we left office. The honorable member for Auckland City East says "No." Perhaps he knows better than I do. Probably, as the honorable gentleman had the *entrée* to the offices, and has examined the books—

Mr. REES.—If the honorable gentleman is alluding to me, I may inform him that I have not the *entrée* to the offices, nor have I seen any of the books.

Mr. McLEAN.—The honorable gentleman said "No" so pointedly that I thought he must have informed himself, in order to be able to contradict me so flatly.

Mr. REES.—I got the information from the papers in this House and from the published Statements.

Mr. McLEAN.—I say the honorable gentleman is wrong. He could not possibly know what amount of these guaranteed debentures were borrowed upon and placed to the credit of our bank account in London. No paper laid upon the table of this House shows that. The Statement does not show how much cash balance there is in London. That is, all that my honorable friend said was in the way of misleading the House. Then the honorable gentleman stated that we had no surplus of £148,000 last year—that we were deficient. Now, any honorable gentleman looking at this account will easily see that there was a surplus last year; and the present Colonial Treasurer has brought down that surplus at the head of this Statement, thereby acknowledging that there was a surplus last year. We have the Colonial Treasurer stating that there was a surplus from last year of £148,000; and we have the Premier, who knows nothing at all about it, stating that there was no surplus. Such contradictory statements as those, coming from two honorable members on the Government benches, it will be difficult for the country to understand. I now come to the chief item for which a loan is required. The Colonial Treasurer puts it thus: "Public works—amount to be raised on account of current year, £1,461,447." That is far in excess of what we proposed. The honorable gentleman in bringing forward his finances should be careful that he is able to get the money before he spends it, and he would do well if he reduced that item by a considerable amount—if he would reduce it to the amount

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we placed on the Estimates, which is quite sufficient for the departments to spend during the year. Then the next item is, "Treasury bills to be converted, £832,000." Now, these Treasury bills are not due. They can be held over for any time: they can be, and a good many of them are, invested in such a way that they do not become due for a long time to come. There is no hurry about finding money for them. Then he proposes to borrow money to pay the "Debt due to Public Works Account by Consolidated Fund, £300,000." That is a case in which he proposes to borrow money to make up a deficiency. There is no deficiency in the Consolidated Fund. I say that at the end of the year the Consolidated Fund will be perfectly able to meet that £300,000. (No, no.) Honorable members may say "No," I say Yes. The next item is, "Imperial Guaranteed Debentures to be redeemed, £800,000." We had provided for this in the two million loan that we were to raise. Then, with regard to the provincial liabilities, how can he have them in two places? He proposes to pay them as part of the ordinary expenditure. I presume, as he has not shown the amount he is to obtain from the seizure of the Land Fund, he means to put the one against the other. On the other hand, he proposes to borrow the money. He cannot do both. It would have been as well had he struck them out of the expenditure altogether, and placed them in their proper place, in the proposed loan, and not attempted to use them so as to show that the colony was exceeding its expenditure over revenue by £1,926 a day. I really cannot understand how the honorable gentleman could make such an assertion. I am inclined to think, with my honorable friend the late Colonial Treasurer, that the Statement was the Hon. the Premier's handiwork. I believe the Colonial Treasurer did not make up that Statement himself. When he uses the provincial liabilities to make up a deficit, and to show the country that we are living beyond our means, it is done purposely, and with the sole object of taking the Land Fund of the Middle Island. Their object in saying that the finances of the late Government were in such a mess is that they may justify themselves down South in taking the Land Fund. But, Sir, they will not be able to throw dust in the people's eyes in that way. The people there will be able to pull this Statement to pieces. There are many persons in the South who will take the trouble to do so, and they will take the Estimates of the late Government and those of the present Government, and compare them for themselves. They will place the matter before the public in its proper light, notwithstanding that the Press down South is pretty well in the hands of the honorable gentlemen opposite—in the interest of that party. I am sorry to say that the statements which have appeared in a leading paper in Dunedin are absolutely incorrect. Statements were set forth in that paper in order to mislead the people of New Zealand. The honorable member for Dunedin City I believe to be responsible for many of them.

Mr. STOUT.—I say the honorable member is stating what is absolutely untrue.

Mr. McLEAN.—The honorable member for Port Chalmers says "Hear, hear." I do not wonder, seeing how that honorable gentleman has acted. He is like the kangaroo-rat—he hops from side to side. On one night he sits on one side of the rail, and the next night on the other; and no doubt he means to take another political somersault this session yet, and land on the other side. The honorable gentleman is so fond of that, that I really do not know on which side of the House we shall find him presently. I hope, for his own sake, that he will take care of himself, and that when it comes to a vote he will array himself against those who dare to bring forward such a proposal as this. I can assure him that if he does not do so he may hear of it hereafter. I have stated to the House the position in regard to the Land Fund. I have plainly shown the state in which the finances were left by the late Government. I mean to say that next year, by the release of the Sinking Fund under the inscription of stock, and by the increase of railway revenue, we should be in a position, even after putting education as a charge upon the Consolidated Fund, to relieve the Land Fund of that charge, and we should have been able to balance our accounts, and by a further reduction of our expenditure, before next year, bring our expenditure within our income. What will be the effect of taking this Land Fund? It will simply be to bring the proceeds of sales of land into this House to be scrambled for, and to be spent all over the colony. How much better would it be to leave those funds in the hands of the County Councils or Road Boards! How much better would they spend the money than we shall be able to do! The great object of the late Government when Abolition was brought about was that all those works should be kept out of this House. It was thought that, by throwing them on the County Councils and Road Boards, and keeping them out of this House, and placing the powers gradually on those bodies as they were able to take them, we should clear this House of a large amount of the small legislation we previously had to pass, and should thus be able to shorten the session to about two months. That was the view the Government had. But, if we are to take the Land Fund into this House to be scrambled for all over the colony, I warn those honorable gentlemen that, instead of a two months' session, they will be sitting here all the year round. Great difficulty will be experienced in getting good men to come here for a whole year. New Zealand is not situated as Melbourne or Sydney is, where members can get into a railway carriage, go to their homes for a few days, and then return to their Parliamentary duties. Here it is a matter of considerable thought with a member before he goes to visit his home; and, besides, when he gets there he cannot return in a day, while he will not know what may be going on in the House in his absence. I am one of those who always appear here on the first day of the session; I appear in the House day after day, and never leave till the last day of the session; but I should not like to come here and stay even

for six months in the year, and I should think seriously before making my appearance in this House if that were likely to be the case. I think it would be an advantage both to members themselves and to the country at large if the duration of the session were shortened. It has been the power of tongue only that has kept the Government in office against a majority of this House. The great power of tongue, kept up incessantly, has delayed the work of the session. Those gentlemen who formed the Middle Party and joined the members of the extreme side of the House did so with the view of conciliating those gentlemen and stopping the incessant talk; and I do wish those honorable members had succeeded in forming a Government. Much has been said about the eagerness of my late colleagues for office. I say there is no eagerness on their part for office. I was surprised at the insulting manner in which the Premier spoke of my honorable friend the member for Egmont when he said he was hungering for office in order that he might draw his month's pay. Sir, that honorable gentleman has higher principles than a desire for pay, and, having been a colleague of his, I venture to say that a more straightforward, honest man has never been on those benches; and I challenge the Premier, after he has been in office as long as my honorable friend was, to come out as clean as he did. I never knew my late colleague to propose anything but what the whole country might hear of, and the Premier ought not to cast a slur upon him by saying that he is hungry for office and for pay. There are not any members of the late Government who hunger for pay. They are quite able to do without office, and can do without pay perfectly well. So far as I myself was concerned, I never sought office. I joined the Government simply because Otago was unrepresented in it at the time, and in order that injustice might not be done to the place from which I come. I had no eagerness for office, and, as my late colleagues know, I was anxious, whenever an opportunity offered, to retire from office, and to give up my seat whenever they could obtain a representative from Otago. I do not want office. I have no desire to return to those benches. I think I have had enough of office. I have done my duty honestly by my province; I have looked after its interests consistently with the interests of the whole of the colony. I know that of late years any representative from Otago who joined the Government would be regarded as inconsistent, and held up as a traitor and Centralist by those who are now taking the Land Fund. The people will now see who are the real Centralists. I hope, however, the Ministry will still think over the course they propose, and will retrace their steps, if it is not too late. The Native Minister exultingly said that, now that these proposals have once been put forward, whoever goes on the Government benches would not be able to draw back. I believe the honorable gentleman was right. Considering the state of this House, I do not believe that any honorable gentlemen departing from this principle would obtain seats on those benches:

but for that state of matters we have to thank those gentlemen whom Otago had every right to look to as protectors: on them alone the sole responsibility rests. There is one matter to which I wish to refer, with regard to one of the cries which the Government have adopted, or rather countenanced, in order to keep on those benches, and that is the answer which the Premier gave to the honorable member for Timaru in reference to statements that have been made by correspondents in the newspapers regarding obstructions offered by Civil servants to the Government, and the difficulty Ministers had in getting information. It is pitiable to see the members of the Government countenancing such statements, more especially the Premier, the ever-persecuted gentleman, for the purpose of getting the country's sympathy with them. The statement was put forth, and I saw it referred to in a letter to the newspapers in Dunedin, and commented on by the organ of the Government, the *Otago Daily Times*. It was stated in that letter that the Sub-Treasurer was the brother-in-law of the late Premier, and he was a cause of obstruction. He is in no way connected with the late Premier, and I venture to say, from my experience of that officer, that he cares very little who is in office. I am convinced that he has no feeling in regard to the occupants of the Treasury benches, and I am certain that, if the Premier knew how damaging that statement is to men who cannot come forward and defend themselves, and who cannot write to the newspapers, he would hesitate before allowing it to go forth. However, the country will be able to judge gentlemen who keep in office by having recourse to such statements. The Civil servants ought to have no great love for me. Probably I was harder upon them than other Ministers, because I have been accustomed to discipline, and I have endeavoured to instil the necessity of discipline into the service; but I never found any one of those officers who would not take any trouble to give me information. During my whole tenure of office I never experienced any difficulty in getting information. I could go from office to office, and every one would endeavour to give me all the information I desired. I am perfectly sure that, if the honorable gentlemen on those benches stated the truth, they would say that they have never been thwarted in getting information, but that every facility has been afforded them. Many of those gentlemen have been under successive Ministries, and even a whisper of such a thing has never been heard before. I hope that some of those honorable gentlemen will take an opportunity of retracting these statements, which have been so studiously circulated to the detriment of those officers. I should not care about it if they were able to defend themselves, or to write letters to the newspapers in denial of the statements made regarding them; but they cannot do that.

An Hon. MEMBER.—Yes.

Mr. McLEAN.—If when I was in office I had found any of those gentlemen writing to the newspapers I would have dealt summarily with them. I see that the honorable member for Dunedin City (Mr. Stout) is very anxious to

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speak, and to justify his action, as he usually does, by showing to the people of Dunedin that black is white and white is black. I will therefore not detain the House any further.

On the motion of Mr. WASON, the debate was adjourned.

The House adjourned at a quarter to one o'clock a.m.

## LEGISLATIVE COUNCIL.

Wednesday, 21st November, 1877.

First Readings—Second Reading—Third Readings—Strath Taieri and Clyde Railway—Waikouaiti Harbour Bill — Waikouaiti Athenaeum Bill — Crown Redress Bill No. 2—Otago Museum Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

### FIRST READINGS.

Cemeteries Bill, Marine Bill.

### SECOND READING.

Walsh and Others Pension Bill.

### THIRD READINGS.

Manawatu Land Orders Bill, Port Chalmers Compensation Bill, Public Health Bill, Taranaki County Reserves Bill.

### STRATH TAIERI AND CLYDE RAILWAY.

The Hon. Sir F. DILLON BELL asked the Hon. the Colonial Secretary, Whether a report which has appeared in the newspapers is correct, that a reserve of about 370,000 acres has been made in Otago in connection with the proposed Strath Taieri Railway? There had been an understanding in another case that reserves should not be made without the consent of Parliament.

The Hon. Colonel WHITMORE said the lands referred to were at present held under pastoral lease. They were not open for sale, but had been indicated by the Survey Department as being suitable lands to be set aside for the construction of the Strath Taieri Railway, if reserves were ever required for that purpose. No reserve had been made, pending the Railway Bill becoming law.

The Hon. Sir F. DILLON BELL asked if the honorable gentleman could give the same assurance to the Council as he had previously given in a similar case—namely, that no reserve would be made without the knowledge of Parliament.

The Hon. Colonel WHITMORE said that in this case there was a Bill coming before Parliament, and consequently it was not in the same category as the case about which the honorable gentleman asked him on a former occasion.

The Hon. Sir F. DILLON BELL asked if the Council was to understand that unless the Bill passed the reserve would not be made.

The Hon. Colonel WHITMORE.—Of course.

### WAIKOUAITI HARBOUR BILL.

The Hon. Captain FRASER, in moving the

second reading of this Bill, said it would be in the recollection of honorable gentlemen that last session the Council gave a very handsome endowment to the Oamaru Harbour Board because it was shown that that body had no money, and that there were works in course of construction which, if they were not finished or looked after, would not only be seriously injured, but destroyed altogether. That was exactly the position of the Waikouaiti Harbour at the present moment. It was a small harbour about thirteen miles from Port Chalmers, and forty miles from Oamaru, situated at the mouth of the River Waikouaiti. It was a bar harbour, and inside the bar there was a very nice little basin, which was the resort of small craft trading to Dunedin and Port Chalmers. Since 1874 there had been a large expenditure incurred in the erection of jetties and in the construction of a sea-wall to increase the scour and, if possible, deepen the harbour. There had also been a very expensive branch road made from the main trunk road to the harbour. It ran along the outer edge of a swamp, and was liable to be washed away by the tide; so that constant expenditure was required upon it, and he had been told by the promoter of this Bill that a sum of £200 had been placed on the Estimates for repairing the road. He held in his hand a telegram from the local engineer, in which he stated that the total expenditure on the Waikouaiti Harbour works since June, 1874, had been £3,955 16s. 6d., which did not include the cost of the road. This harbour was not a port of entry, therefore he was not in a position to state the amount of exports and imports. It was proposed in the Bill to give an endowment to the harbour of 10,000 acres. He hoped honorable members would allow the Bill to be read a second time. These works, if not looked after, would simply be ruined, and would merely serve "to point a moral and adorn a tale," proving the blighting influence of Centralism. With regard to the constitution of the Harbour Board, he thought the provision in the Bill was a mistake, and when in Committee he proposed to alter it. At present the proposal was to place the harbour and the expenditure of money in the hands of the whole human race of Waikouaiti, for the words were, "the Chairman, County Council, and inhabitants of Waikouaiti." He would propose to substitute the Chairman of the County, *ex officio*, the Mayor of West Hawkesbury, *ex officio*, the Mayor of Palmerston, *ex officio*, Mr. Henry Ormond, and Mr. Duncan. The latter two gentlemen were the largest producers in the district, and they lived close to the harbour and took a great interest in the place. He moved the second reading of the Bill.

The Hon. Sir F. DILLON BELL said, although Waikouaiti was in his own district, where he would naturally be very glad to see public money expended, still, for the same reasons that had actuated him in opposing the endowment of the Riverton Harbour, he must object to this proposal. His honorable and gallant friend spoke about the pointing of a moral and the adorning of a tale; but, if the Council only knew how the tale should be told, the moral pointed

by that tale would be that the Council should take care that it did not do the same thing itself. Although he lived in the district, he could not even say that he knew what the Harbour of Waikouaiti was. The use of the word "harbour" was to him a novelty, and he did not know what it was that could be called a harbour there. But the effect of continuing the silly expenditure which had been commenced, he would not say for political reasons, but certainly without due regard for the public interests in the case of the Waikouaiti River mouth, would be that such further expenditure would be thoroughly wasted. Without an enormous expenditure it would be useless to attempt the construction of the sea-wall, for it would simply be throwing money away. But there was a much more serious thing to be considered—namely, that the effect of spending a great deal of money on the construction of a harbour at the mouth of the River Waikouaiti, would necessarily be to take from the Government railway much of the traffic between Waikouaiti and Port Chalmers. So long as there was only a metalled road between Waikouaiti and Dunedin, and the produce had first to go to Dunedin by road and then to Port Chalmers by rail for shipment, there was an argument for public expenditure in this direction. But now that the railway was actually opened to Blueskin Bay, within a very short distance of Waikouaiti River, and would soon be opened to the Town of Waikouaiti, passing straight into Port Chalmers, there was no necessity for laying out money on the river. He could not understand anything more suicidal than to set up small harbours every few miles along the coast, for the purpose of sapping the traffic of the railways which it had cost the colony so much to construct. There was neither justice nor common sense in such a course. At any rate, as a person interested in the district in question, he could not consent to the proposal; but even if it were desirable to pass the second reading, it would be quite preposterous to place the expenditure of the money in the hands of the Chairman and County Council of Waikouaiti.

The Hon. Captain FRASER explained that he had proposed to alter the Bill in that respect.

The Hon. Sir F. DILLON BELL said that, apart from that consideration, he objected to the proposed endowment on the same ground that he had opposed the Riverton Harbour Bill.

The Hon. Colonel WHITMORE felt sure that the Hon. Captain Fraser's advocacy of this Bill was due more to his generous disposition than to any love for the proposal it contained, and that the honorable member had only taken charge of the Bill out of politeness to the gentleman whose name was at the head of it, and who, possibly, could find no other member so kindly disposed. He thought the promoter of the Bill in another place was a member of the late Government. Had that Government approved of the Bill it might have been brought forward with all the advantage of Government advocacy. But apparently they did not approve of it; neither did the present Government. Another Harbour Bill from the same part of the country was thrown out last

year because it was close to another harbour. Now, Waikouaiti was very close to Port Chalmers. No less than £4,000 of public money had already been spent upon it, a great deal more money had been spent upon a road, and the colony had also constructed a railway which passed close to it. There was no reason that he could see why the Bill should go before a Select Committee, and he would move, That it be read a second time that day six months.

The Hon. Mr. NURSE would simply read the Hon. Captain Fraser's speech in opposing the Riverton Harbour Bill. By so doing he would be giving excellent reasons against the passing of this Bill.

The Hon. Mr. MANTELL wished to know if the honorable gentleman would be in order in referring to a previous debate.

The Hon. the SPEAKER said the honorable gentleman would not be in order.

The Hon. Mr. NURSE said he would simply refer honorable gentlemen to the speech in *Hansard*.

The Hon. Mr. MILLER said he was probably more intimately acquainted with Waikouaiti than any other honorable gentleman, but he regretted that he could not support the Bill. He supposed the railway would be running in a few weeks, and then, no doubt, nothing would be sent there by water. As the Hon. Sir F. Dillon Bell had explained, this could never be made a harbour. Besides, the amount of the produce was very small. It was very remarkable that, although he had several correspondents there, he had received no telegrams, letters, or anything about this Bill.

The Hon. Mr. MANTELL thought that, inasmuch as the Colonial Secretary stated that the Hon. Captain Fraser was induced by feelings of good-nature to take charge of the Bill, it would be a very kind thing to extend the same good-nature to the honorable gentleman by relieving him of the charge as soon as possible. He knew Waikouaiti Harbour thirty years ago, and he supposed it had not improved since. At high tide a whaleboat could go in, but at low tide there was a danger of broaching-to on the bar. He experienced the pleasure of entering that harbour in company with his friend the late Mr. John Jones. He thought it might be possible to make something approaching to a harbour at Waikouaiti, which would last for a few months, by spending about as much money as England spent in making Portland Harbour.

The Hon. Captain FRASER thought it was a pity that the only two gentlemen interested in the place should take advantage of their local knowledge for the purpose of condemning the Bill. He had been connected with Waikouaiti since he first came to the colony. He believed that he was its first representative, and he asked the Hon. the Speaker to appoint the first Resident Magistrate there. The climate was so salubrious that at the age of eighty-one years that gentleman was still acting as Resident Magistrate. Honorable gentlemen in the Council did not know anything about Waikouaiti. It would some day be the Brighton of Otago. The air

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was most salubrious. There was a gentleman living there upwards of eighty years of age who had recently been made a father. It was a place to which many people might go who wished to renew their vitality. It was a very sad thing indeed that honorable gentlemen should destroy all that had been done by a paternal Provincial Government. It was very unfortunate for this Bill that he had had something to do with the throwing out of another Harbour Bill. But for that, he thought the Bill would have had a better chance.

Amendment agreed to, and Bill ordered to be read a second time that day six months.

#### WAIKOUAITI ATHENÆUM BILL.

The Hon. Captain FRASER, in moving the second reading of this Bill, thought he need not dilate upon the advantages of athenæums, as that subject had been dwelt upon *ad nauseam*. He would only say that he knew of no place which required instruction, particularly political instruction, more than Waikouaiti. They were moderate in their request, and only asked for an endowment of fifty-three acres. In Committee he would add two other names as Trustees.

The Hon. Colonel WHITMORE had no objection to the Bill going to a Committee, but he wished to point out that in almost all other cases the endowments were transfers of lands already provincially reserved.

The Hon. Sir F. DILLON BELL was very glad in this case to be able to support the proposal. The inhabitants of Waikouaiti had gone to considerable expense and trouble to get together a small library, and to put up a very good building, which was a great source of enjoyment to people who wished to avoid the public-house. He thought it was a very good thing that the State should encourage such institutions in up-country townships by giving them a moderate amount of land.

Bill read a second time.

#### CROWN REDRESS BILL No. 2.

##### ADJOURNED DEBATE.

The Hon. Mr. HART was surprised to learn that this Bill had been submitted to the Crown Law Officers and approved of, because he thought that they should have followed the example of New South Wales, which, so late as 1876, passed an Act complete in itself, and not at all so wide as this Act. As he understood it, the New South Wales Act did not give power to any plaintiff to sue the Government in the Resident Magistrate's Court, as this Bill proposed, nor did it give power in these wide terms: "unless the same shall be founded on or arise out of some contract, act, deed, matter, or thing done, executed, or entered into by or under the authority, express or implied, of Her Majesty's local Government in New Zealand." Under what might be called "implied authority" there was no end of questions which might be raised, and they would have an amount of litigation, to meet the expenses of which he thought a very considerable sum should be placed on the Estimates. They had actually seen at the last sitting of the Court of Appeal a question

of £10, decided in the Resident Magistrate's Court, brought to the Supreme Court, and afterwards argued in the Court of Appeal. One of the Judges stated that there was no question of law or principle involved in the case, and yet such an amount of litigation was gone through concerning it. If they passed this Bill, they would see many similar cases of litigation. The only remedy that Parliament would have against such judgments was not to vote the moneys to meet them. But it would not be consistent with the honor of the colony that they should first encourage litigation and then refuse to pay the cost. They constantly found that, when the Government were the defendants, juries gave large damages against them. Again, the clauses of this Act did not dovetail with the Act of 1871, and this would put very considerable difficulty in the way of Judges as to what their duties might be under the Act. As he had said in the case of "The Debtors and Creditors Act, 1875," which was certainly an abortion, this was not an Act which they could safely pass, and it would open the door to litigation to an extent of which no member of the Council could be aware. He had spoken to one practitioner on the subject, Mr. George Cook, of Dunedin, who had perhaps as wide an experience as any practitioner in the colony, and he stated that this would be a very dangerous Act to pass. He moved, That it be read a second time that day six months.

The Hon. Dr. POLLEN said he moved the adjournment of the debate, upon the occasion when this Bill was proposed to be read a second time, for the reason that, except a few words which were said by the honorable gentleman representing the Government and some observations made by the Hon. Mr. Holmes, it appeared to him that a measure which in his opinion was one of very great importance was being allowed to pass its second reading, and the Council was being allowed to pledge itself to the policy of that measure, without honorable gentlemen having made themselves acquainted with the provisions of the Bill, or having been informed as to the present state of the law on the subject. The existing law upon this subject was contained in the Crown Redress Act which was passed in 1871, and which was to provide for the enforcement of claims against the Crown in New Zealand. It was introduced into the Council by the Hon. Mr. Sewell, who, amongst other things, said, "The object of the Bill was to afford a suitor the same redress against the Crown as he would have against a private individual. Under the present law no proceedings could be taken against the Crown, except with its own consent. It was the intention of the Government to retain that provision, as it was necessary for the purpose of protecting the State against innumerable and vexatious proceedings. The cases in which the Crown came into contact with the subject were so many that it was necessary to preserve that restriction." The Act defined the method of proceeding. It provided that the consent of the Governor was to be obtained as an initial step. That being had, the petition to the Governor, upon which his assent was given, was filed in the Supreme Court, and

it became the first step in the process. Afterwards the case was conducted as in any other ordinary case, except that the Attorney-General had the power confided to him of changing the venue of the trial when the interests of the public appeared to render the step desirable. The Act provided that execution should issue upon the certificate given by the Registrar of the Court specifying the verdict and the amount of costs that were to be paid. The Act further provided that the Governor should satisfy the verdict of the Court out of any moneys voted by the General Assembly for that purpose. Clause 9 of the Act defined the character of the claims upon which proceedings should be taken. It said,—

"Nothing shall be deemed a claim or demand within the meaning of this Act unless the same shall be founded on and arise out of some contract entered into by the authority of Her Majesty's local Government in New Zealand, and no person shall be entitled by virtue of this Act to prosecute or enforce any claim against Her said Majesty in the nature of an action for specific relief for the performance of, nor any action for damages for the breach of, any contract for the purchase of waste or other lands of the Crown."

The proviso was passed in view of the fact that, inasmuch as the administration of the waste lands of the Crown was in the hands of the Provincial Government, it was not safe for the Crown to subject itself to actions upon contracts for dealing with the waste lands the responsibility for and full administration of which were not in their own hands. That Act followed the Victorian legislation. It was nearly a transcript of an Act which a short time previously had been passed by the Legislature of Victoria, except in this particular point: The Victorian Act made it incumbent upon the Treasurer at once to satisfy the judgment of the Court without appropriation by the Assembly, but the interests of the Crown were protected in this colony by the requirement that, before a judgment could be satisfied, money must be appropriated for the purpose by Parliament. It would be in the recollection of honorable gentlemen, no doubt, that a scandal arose in Victoria owing to the non-existence of that provision in the Crown Redress Act of that colony. For a long time there was a deadlock between the two Houses in that colony, arising out of what was known as the "Darling question;" and during all that time the financial business of the colony, and all expenditure on account of the establishments, were carried on by means of actions in the Supreme Court. Even when the clerks required their salaries they brought actions against the Crown in the Supreme Court, and judgments were satisfied by the Treasurer on the authority of their law. In order to avoid a danger of that kind in this colony provision was made that no judgment of the Court should be satisfied until an appropriation was made by Parliament for the purpose. In addition to the Act of 1871 there was passed the Contractors Arbitration Act, which made what was hoped would be a sufficient provision for satisfying claims which might arise between the Government and a contractor; and in the Pub-



lic Works Act passed last year further provision was made for giving those persons dealing with the Crown an opportunity in all transactions of having an immediate and direct remedy against the Crown in the person of the Minister. Under these circumstances it would appear that a not insufficient provision had been made by the Legislature for the redress of all grievances that could reasonably be expected to arise between the Crown and the subject. That being the state of the law, this Bill proposed to amend the 2nd section of the Crown Redress Act, which required that the consent of the Governor should first be obtained before any legal proceedings could be taken against the Crown. The obtaining of such a consent he took to be, in almost all cases, a simple formality. The Governor in these cases meant the Government, and, as his honorable friend opposite on every occasion pointed out, the Government was always responsible for any advice given in a matter which would unjustly affect any subject of Her Majesty. The Bill now before the Council proposed that not the Supreme Court alone, but the District Court and the Resident Magistrate's Court should be open to these proceedings against the Crown; and, instead of the preliminary consent of the Governor being obtained for the institution of suits of that kind, they were to be instituted by the authority of a practising barrister of the Supreme Court, whose function it would be to state in writing under his hand that he considered the petitioner had a good cause of action, and that the same was disclosed in the said petition. He had a great respect for the legal profession as a body, but, seeing that in every case gentlemen of that profession would be found ready to lend their services to one side or to the other to defend the right or the wrong, as the case might be, he took it that the imposition of such a provision as that by way of protecting the public interests was neither more nor less than a sham. He had already read the 9th clause of the Act, which defined the cause of action upon which proceedings could be taken. He would now read the clause which was proposed to be substituted therefor. The 3rd section of this Bill said,—

"Section nine of the said 'Crown Redress Act, 1871,' shall be repealed, and this section shall be read in its place and stead: Nothing shall be deemed a claim or demand within the meaning of this Act, unless the same shall be founded on or arise out of some contract, act, deed, matter, or thing done, executed, or entered into by or under the authority, express or implied, of Her Majesty's local Government in New Zealand, or for which the said local Government would be responsible if they were private subjects of Her Majesty in New Zealand."

He would call the attention of the Council to the peculiar effect of this alteration of the word "and" for the word "or." The original Act proposed that the claim "shall be founded on and arise out of." This alteration opened a very wide door indeed to the constructive ingenuity of legal gentlemen. They were not told that any pressing occasion had arisen for an alteration of the existing law. The case which the honorable

gentleman had quoted with reference to some iron taken out of a wrecked vessel was very capable of explanation, and could have been very easily settled, without recourse to law, upon very reasonable grounds and principles. At any rate, if it were as bad as the honorable gentleman represented, it would not be sufficient ground for such an alteration of the law as was herein proposed, and proposed not on behalf of the Government, not by the Crown itself through the medium of its responsible officers, but by a legal gentleman a private member in another place. What would happen, to his mind, under the provisions of this Bill, would be that, in addition to the Defence Office which, he was glad to think, was under the control of his honorable and gallant friend, there would be another Defence Office, of a different character, required against an enemy of a very different kind; and he ventured to think that out of that other Defence Office the Government would have infinitely more worry and trouble than arose out of the Defence Office in the sense in which it at present existed. If there were any grievance of a serious character which required redress, he would be one of the last to raise his voice against any reasonable measure being adopted for the purpose of obtaining that redress; but he most earnestly protested against the passing of a Bill of this kind, which, as he said on a former occasion, might properly be characterised as a Bill to promote litigation, and not a Bill to protect the subject from any wrongs that could be perpetrated against him by the Government of the colony. He thought he had shown that in the Crown Redress Act as it existed, in the Contractors Arbitration Act, and in the provisions of the Public Works Act, which subjected the Government to all the responsibilities of a common carrier, there were sufficient means of redress afforded to the subject for any possible wrongs which might be inflicted upon him. Behind all that, there was the General Assembly. The ears of gentlemen in either House were never closed against petitions for redress. He thought, therefore, that the evils, if any, which had arisen under such circumstances were as nothing compared with the evils of the worry and torment of incessant litigation to which the door would be opened in the colony if this Bill were passed. He was glad to find that his honorable and learned friend Mr. Hart was in accord with him in the view he took of this matter, and he supported with great pleasure the honorable gentleman's amendment that the Bill be read a second time that day six months.

The Hon. Mr. HALL said they always listened with respect and pleasure to the remarks of the Hon. Dr. Pollen, and he had even done so on the present occasion, because the honorable gentleman put his own side of the case very forcibly; but he had also listened to the honorable gentleman with very great regret indeed—regret that he had asked the Council to enable the Government to act in a manner which he (Mr. Hall) believed to be practically tyrannical. He would first, however, address himself to the remarks which fell from the Hon. Mr. Hart, who strongly objected to this Bill, but said that if it had been

*Hon. Dr. Pollen*

a measure like the Act which had recently been passed in New South Wales he would not have objected to it. He (Mr. Hall) would trouble the Council by pointing out what appeared to him to be the differences between this Bill and the Act of New South Wales. The alteration proposed to be effected by the present Bill had been very fairly described by the Hon. Dr. Pollen. That honorable gentleman told the Council—what everybody who had looked at the Bill must be aware of—that it was a measure extending the operation of the Act of 1871. It might be summarized in these few words: that, whereas the Act of 1871 only gave redress to the subject where he had a claim or demand arising out of a contract with the Crown, this Bill went further, and said that where the Crown had done an injury to a subject he might also claim redress and bring an action; that it should not merely be optional with the Crown to allow the subject to bring his action, but that, as a matter of right, he should be heard in a Court of justice, if he claimed to have a demand against the Crown, in the same way that he would be heard if he had a demand against a fellow-subject. The Bill, to his mind, did not go far enough. He was afraid it did not clearly give remedies in cases where injury had been done to the subject through the neglect of the Crown—through, for instance, the neglect of the Crown in the management of its railways, in which case a railway company would, of course, be liable. His honorable friend Mr. Hart stated that he would not object to this Bill if it were on the model of the New South Wales Act. He (Mr. Hall) frankly admitted that, having read the Act of New South Wales, he believed it was a better measure than this; but he thought he would be able to show to the Council that it was a far more sweeping and comprehensive measure, and laid the Crown far more widely open to actions than the Bill under consideration. He had said that the cases in which actions might be brought under this Bill might not include cases of neglect. Now, what did the Act of New South Wales, of which the Hon. Mr. Hart had spoken with so much respect, say? It said,—

“Any person having or deeming himself to have any just claim or demand whatever against the Government of this colony may set forth the same in a petition to the Governor praying him to appoint a nominal defendant in the matter of such petition; and the Governor, with the advice of the Executive Council, may, by notification in the *Gazette*, appoint any person resident in the colony to be a nominal defendant accordingly: Provided that, if within one month after presentation of such petition no such notification be made, the Colonial Treasurer for the time being shall be the nominal defendant.”

The Colonial Treasurer for the time being was the nominal defendant. Then the 3rd clause went on to say,—

“The petitioner may sue such nominal defendant at law or in equity in any competent Court, and every such case shall be commenced in the same way, and the proceedings and rights of parties therein shall, as nearly as possible, be the

same, and judgment and costs shall follow or may be awarded on either side, as in an ordinary case between subject and subject.”

Next followed provisions as to the payment of costs. The Act provided,—

“The Colonial Treasurer shall pay all damages and costs adjudged against any such nominal defendant, or costs awarded against the Crown or Attorney-General under this Act, out of any moneys in his hands then legally applicable thereto.”

He agreed with the Hon. Dr. Pollen that there ought not to be a power in the Crown to pay any judgment against it except out of moneys appropriated by the General Assembly for that purpose, for the obvious reason that it might be abused as it was abused in the Colony of Victoria. This Bill accordingly provided that damages recovered against the Crown could only be paid out of moneys appropriated by the General Assembly, and it was not open to objection, therefore, on that score. He preferred the Act of New South Wales, because it was simpler in its wording, more full and comprehensive in its effect, and proceeded upon the broad principle that where there was a wrong there should be a remedy, whether that wrong was committed by the Crown or by a subject. He felt sure that was a principle which sooner or later must obtain in this country and in every country where the liberty of the subject was fairly protected. He could not help saying that the opposite principle, that a subject was not to have any remedy against the Crown for a wrong done to him, was the very basis of all despotism—that, in fact, it was the principle of despotic government. No sooner would the injustice to which this might lead be felt by the public generally—and the working of the railways by the Government would soon make it felt—than it would be such an intolerable grievance that of course it would have to be remedied. It was a very old-fashioned tale which they were now endeavouring to amend, that the Crown could not be sued. It had lasted, he supposed, from the time of William the Conqueror, or even earlier; but in those days the Crown was merely engaged in the government of the country, while now an entirely new state of things existed, and the Crown was doing the work of private individuals: it was constructing and working railways. If those railways were worked by a private company of course there would be a remedy against that company for any wrong that it committed, and why should there not be against the Government? It was often said that there was a prejudice against railway companies, and that in litigation they always came off badly; but was that a reason why the public should not have a remedy against railway companies at all? His honorable friend said that a remedy was given by the Public Works Act. That was where it was not given. It was true that they were liable as common carriers in case they lost a parcel; but if they set fire to a man's grain or his buildings they did not do that in their capacity as common carriers, and there was no redress. It had been urged that this, up to the present time, was a theoretic grievance—that there had been no cases

of hardship. His honorable friend the Colonial Secretary had, however, pointed out a case of hardship. Upon that, the Hon. Dr. Pollen said that there were other modes of redress; but, in point of fact, they were only at the option of the Government. Now, with all regard to his honorable friend, he did not think it ought to be optional with the Crown, as a matter of fact with the Ministers of the day, and very often, in such cases, with the permanent heads of departments—it ought not to be left to them to say whether an individual who had suffered a wrong in a distant part of the colony should have redress or not; and he could not help saying that his honorable friend, notwithstanding all his excellent qualities, was one of the very last men to whom he would leave this option of saying whether redress should be afforded, because, as a rule, he took extreme views as to the rights and privileges of the Government. But there were other cases of actual hardship which had occurred. The Government had not been working the railways long, yet cases were cropping up every day, and it was a grievance which was felt in the part of the colony from which he came. He had had in his possession original documents from which he had quoted on a previous occasion in the Council, relating to a case in which a railway locomotive set fire to a fine crop of wheat and destroyed it, by which the farmer lost between £500 and £600. There was no doubt whatever about the facts, as everything was proved, and yet that man to this date had not obtained any redress, and could not do so. Now, did honorable members mean to say that that state of things ought to continue, or that it could continue? That man was entirely without any remedy, except such as he might get from what the Hon. Dr. Pollen called the liberality of Parliament. But had they not already enough to do in the Assembly without inviting petitions of this kind? and was it to depend upon a man's ability to procure powerful and zealous advocates in another branch of the Legislature whether he was to get redress for a wrong of this kind or not? The case he had referred to was not the only one. A case had been mentioned to him in which sparks were actually seen to go from an engine on to a building belonging to a private individual, near Christchurch. The building was destroyed, and the owner had been refused any kind of redress. He would not address the Council so strongly on this matter if he did not feel that a crying injustice existed. The Hon. Mr. Hart objected to the power to sue in the Resident Magistrate's Court. Of course, if it were thought proper, the claims could be decided by the Supreme Court only. When the claims were for small amounts that would probably be a hardship, and it might be possible to provide that, unless with the consent of the Government, a claim against the Government should not be heard except in the Supreme Court. But where the amount involved was not large it would be practically a denial of justice to insist that the case should be tried by the Supreme Court. If the Government thought that there was any attempt at

*Hon. Mr. Hall*

imposition, or that any large principle was involved, it might be provided that it should be optional for the Government to have the case tried in the Supreme Court. He would not object to an amendment in that direction if he could obtain a real and substantial remedy. The case was a very simple one. His honorable friend had said that the Government were liable under the Public Works Act as common carriers, but he (Mr. Hall) had shown that they were not liable, and that there was no remedy where the subject suffered injuries of the kind he had referred to. In conclusion, he would only say again that, where the Government entered upon the work of a private company, and stepped out of the ordinary functions of Government to undertake operations in the course of which they might and did inflict, and could not help inflicting now and then, a wrong upon a subject, it was contrary to every principle of fairness and justice that the subject should not have an opportunity of having his grievance heard in a Court of justice; and, when this principle had been admitted in the neighbouring colonies—it had been admitted in Victoria, and, as he had shown, in the most ample manner in New South Wales—he trusted the Colony of New Zealand would not refuse to afford a simple remedy for what appeared to him to be a serious and very great wrong.

Sir F. DILLON BELL said his vote would depend on the answer which the Colonial Secretary would give to the question which he had put to him. If the honorable gentleman would consent that any action should be tried only in the Supreme Court, he would agree to the second reading of the Bill; but, if the honorable member wished actions to be tried in the inferior Courts, that would be a risk which he did not think it would be safe to run.

The Hon. Colonel BRETT, as a layman, expressed, with some diffidence, an opinion opposed to that of his honorable and learned friend Mr. Hart. It would be a very gross injustice for the strong to shut the door against the weak. A case had recently occurred, which had been referred to by the Hon. Mr. Hall, in which a farmer at Christchurch, who had suffered injury, brought his case before the Government, and was told that he could have no redress, although he had lost several hundreds of pounds. Was that fair, just, or honorable? He (Colonel Brett) knew what justice was. He might be ignorant of what was meant by legal justice, but he knew what military justice was. He had for thirty-three or thirty-four years, as the Hon. the Speaker could vouch, been accustomed to administer justice. All military men sat, about three times in every month, upon trials of men in their regiments and in the garrison for all sorts of crimes; and he thought he was as capable of judging as the Chief Justice himself. He did not see why justice should not be done to men in a low position of life, and objected to the door being shut against justice by such a powerful body as the Government. This was a very proper and just Bill, and he would support it.

The Hon. Mr. G. R. JOHNSON would like to ask the Hon. Mr. Hall whether, in the case he

had mentioned of a crop of grain being destroyed by fire, the owner had taken any steps to obtain redress, and, if so, what course he had pursued.

The Hon. Mr. HALL said he applied to the Government for redress, but it was refused.

The Hon. Mr. G. R. JOHNSON asked if he had applied by petition.

The Hon. Mr. HALL believed he had also petitioned; but without success.

The Hon. Colonel WHITMORE said the arguments of the Hon. Mr. Hart were not so much against the principle of the Bill as against certain parts which might well be considered in Committee. For instance, the honorable gentleman objected to the Courts by which it was proposed that claims against the Government should be tried. There would be an opportunity in Committee for discussing that question, and, if the honorable gentleman would explain why the claimants should be debarred from making their claims before any competent Court, such as was proposed in this Bill, and also allowed in the New South Wales Act, he (Colonel Whitmore) would rather accept the Bill with the restriction mentioned by the Hon. Sir F. Dillon Bell, than that it should be thrown out altogether. Then the honorable gentleman objected that the Bill was not brought in by the Government. Certainly it had happened that it was not introduced by the Government, but the present Government had accepted it, and the previous Government had looked upon it with favour, so much so that the late Attorney-General had given his aid in Committee in altering and very materially improving the provisions of the Bill. Not only did a Crown Redress Act exist in New South Wales, but in Victoria also, where it was called the Crown Remedies Act; and, although the provisions in the latter colony were not quite so wide as in the case of New South Wales, still they were very much more liberal than the law at present in existence in New Zealand. There was a reason why the provisions of the New Zealand Crown Redress Act should be wider than those of Victoria. This colony was singular in respect to the large amount of private business done by its Government. It not only conducted railways; it also had a Public Trustee's Department, an insurance business, and post office savings banks—which last he supposed were common to all the colonies—and, what was singular, it had newspapers too, and only recently an action had been brought, by the permission of the Government, against a Government newspaper for libel. The subject in New Zealand, therefore, was brought much more into commercial relations with the Government than elsewhere, and would have very much greater grievances if he were debarred from the relief which the law ordinarily provided as between subject and subject. The New South Wales Act was not found to operate unjustly, nor was it contended that it had done so. If it could be shown, as he thought it could, that there were many more cases than the very glaring one he had adduced, of the "Kate Moynahan," in which injustice had been done to the subject in the colony through the immunity of the Crown, then there

would be a very good case made out for the passing of an Act to give at all events a wider measure of justice than was afforded by the restricted Act of 1871. It was true that under the Public Works Act the Government was liable as carriers, but there were a great many other injuries which would arise out of the railway business besides those which were the result of the carelessness of the carriers. One great source of loss to railway companies in England arose from damages to persons injured by the negligence of railway servants. Was it not monstrous that, through the carelessness of railway guards, many persons' lives and limbs should be injured without any redress being afforded? There was the injury which the Hon. Mr. Hall had mentioned, arising from the setting fire to grass or crops, especially in the dry season. It would not take a very inventive mind to conceive a great many other instances in which a great practical wrong would be done to the subject without there being, as the law stood, any possible remedy. The only arguments that seemed to be brought against the Bill were of two classes. One was that they could not trust the young lawyers of the country. He did not think that was a very good argument. He thought the lawyers in this country were a very fair sample of the rest of the people—there were bad and good amongst them. At all events, if the actions were to be confined to the Supreme Court, there would be a jury which would at once see whether or not it was a trumped-up case, and probably the lawyer would take very little for his pains. Unless, indeed, we could imagine that the whole community was debauched in mind, and that the moral principle of juries was so blunted that they would conspire with speculative and depraved young lawyers, he could not see what practical injury would arise from that. Another argument used was also an attack upon the moral sense of right of the community. It was commonly said that juries were careless as to what extravagant awards they gave when the Government were the defendants. He did not know that juries were worse than Committees of another branch—and possibly this branch—of the Legislature in the matter of petitions. If they debarred the subject of his right to appeal to the Courts of law they would leave him only one tribunal, and that was the Parliament. He would have to approach Parliament by petition, and appear before the Petitions Committee. Well, Committees were very inscrutable, and their opinions were very diverse. Sometimes their awards were very liberal, and at other times they were marked by the most extraordinary parsimony. He believed that the average would be found to be rather over-liberal than over-parsimonious. He thought, moreover, that it was very undesirable that there should be the kind of influence brought to bear which this sort of thing had a tendency to introduce into the lobbies and into Parliament. If this Bill did nothing else than remove that evil, he would not regret the change. The honorable and learned gentleman who was their sole authority in the Council upon such matters, and who spoke from long practical experience, was entitled, he admitted, to very great

respect and very great attention when he spoke so strongly as he did upon this subject, but he would submit to that honorable gentleman that, if he conceived there was nothing amiss in the New South Wales Act, and if he (Colonel Whitmore) was perfectly prepared to accept the principle of that Act, the honorable gentleman should give all the assistance he could in Committee, which he was sure he would do, because they all knew how willing he was to help them in matters of this kind in Committee. If the honorable gentleman would do that, he would not only be doing a personal kindness to him (Colonel Whitmore), but would be doing a very great service to the country. The honorable gentleman might depend upon it that he (Colonel Whitmore), the Hon. Mr. Hall, and many other honorable members, did not speak without some experience when they said that there were a very large number of instances arising every day in which the settlers of the country were treated, as the law stood, in a manner that might fairly be called tyrannical. He hoped the Bill would be read a second time, and he would be willing to amend it to the fullest extent in Committee.

Question put, "That the word 'now,' proposed to be omitted, do stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	10
Majority for	...	...	...	...	6

## AYES.

Sir F. Dillon Bell,	Mr. Miller,
Colonel Brett,	Mr. Paterson,
Mr. Chamberlin,	Mr. Peacock,
Mr. Edwards,	Mr. Pharazyn,
Captain Fraser,	Major Richmond, C.B.,
Mr. Hall,	Mr. Russell,
Mr. Lahmann,	Colonel Whitmore,
Mr. Mantell,	Mr. Wigley.

## NOES.

Captain Baillic,	Lieut.-Colonel Kenny,
Mr. Buckley,	Mr. Menzies,
Mr. Hart,	Mr. Nurse,
Mr. Holmes,	Dr. Pollen,
Mr. G. R. Johnson,	Mr. Williamson.

The amendment was consequently negatived, and the Bill read a second time.

## OTAGO MUSEUM BILL.

The Council went into Committee on this Bill. Clause 3.—Pastoral lands vested in University.

The Hon. Dr. POLLEN moved, That the clause be erased from the Bill.

Question put, "That the clause proposed to be omitted stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	13
Noes	...	...	...	...	9
Majority for	...	...	...	...	4

*Hon. Colonel Whitmore*

## AYES.

Captain Baillie,	Mr. Mantell,
Sir F. Dillon Bell,	Mr. Menzies,
Mr. Buckley,	Mr. Miller,
Mr. Edwards,	Mr. Paterson,
Captain Fraser,	Mr. Peacock,
Mr. Hall,	Sir J. L. C. Richardson.
Mr. Holmes,	

## NOES.

Colonel Brett,	Mr. Nurse,
Mr. Chamberlin,	Dr. Pollen,
Mr. Hart,	Colonel Whitmore,
Mr. G. R. Johnson,	Mr. Williamson.
Lieut.-Colonel Kenny,	

The amendment was consequently negatived, and the clause agreed to.

The Bill was reported to the Council with amendments, and the third reading fixed for next sitting day.

The Council adjourned at a quarter-past eleven o'clock p.m.

## HOUSE OF REPRESENTATIVES.

*Wednesday, 21st November, 1877.*

First Readings—Second Readings—Third Readings—Bill Discharged—Thames Endowments—Martin's Bay—Queenstown and Cromwell Railway—Dunedin Municipal Bill—Grey River Bridge—County and Municipal Endowments—North of Auckland Works—Lotteries Bill—Forest Trees Planting Encouragement Bill—Aorere Tramway—Catlin's River Telegraph.

The ACTING-SPEAKER took the chair at half-past two o'clock.

## PRAYERS.

## FIRST READINGS.

Maori Real Estate Management Bill, Wyndham Show-Ground Bill, Whangarei Port Bill.

## SECOND READINGS.

Christchurch Board of Health Bill, Foxton Harbour Bill, Wyndham Recreation Reserve Bill, Lyttelton and Heathcote Recreation Ground Bill, Taranaki Smelting Works Land Bill, Jackson's Bay Road District Bill, Hutt, Waikanae, and Palmerston Railway Bill, Domicile Bill.

## THIRD READINGS.

Christchurch Board of Health Bill, Timaru Harbour Bill, Milford Harbour Bill, Wyndham Recreation Reserve Bill, Lyttelton and Heathcote Recreation Ground Bill, Taranaki Smelting Works Land Bill, Jackson's Bay Road District Bill, Hutt, Waikanae, and Palmerston Railway Bill, Peninsula County Bill, Canterbury Railway Land Bill, Mount Cook Road District Bill, Hokonui Education Reserve Bill, Masterton and Greytown Lands Bill.

## BILL DISCHARGED.

Local Option Bill.

## THAMES ENDOWMENTS.

Mr. ROWE (on behalf of Mr. O'Rourke) asked the Minister for Lands, What steps have

been taken, or are intended to be taken, to confer upon the unendowed Borough of the Thames endowments such as are proposed to be conferred on Kaiapoi, Lyttelton, and Akaroa under the 350th clause of "The Municipal Corporations Act, 1876"? The House would remember that during last session provision was made for setting aside endowments for boroughs throughout the colony. In January last the Thames Borough applied to the Government for an appropriation in this direction; but, so far as he was aware, no answer had up to the present time been received from the Government, and certainly no action had been taken in the matter. It could not be doubted that the Thames was as much entitled to such an endowment as many other parts of the colony. He had taken notice of what had been done in this respect during the present session. There was Akaroa, for instance, the representative of which district had done perfectly right in getting an endowment for his borough. The number of the inhabitants of that place was about 590. Then there was the late Minister of Justice, who represented Kaiapoi, which place contained about 1,000 inhabitants. The honorable gentleman got an endowment for that place, not only within the district, but outside of it, having selected some of the very best land in the province. He did not blame those honorable gentlemen, and would like to do exactly the same as they had done. But he happened to represent a borough which contained 10,000 inhabitants, and when that borough made an application for the endowment to which it was entitled no answer was given to the application. He trusted the Government would give a satisfactory answer. There was, perhaps, a difficulty in the way, and the Government might say, "You have no land in your district;" but there was plenty of land in Canterbury and Otago which the Thames people would have no objection to take. If there were no lands in the Thames District for the purpose, he trusted the Government would find them elsewhere.

Mr. MACANDREW said the Government were quite prepared to give effect to the petition of the Municipal Corporation of the Thames as soon as it was possible to do so. Certain lands had been pointed out which would be suitable for the purpose, but, unfortunately, that land at present belonged to the Natives. The Government had for some time past been endeavouring to get a title to that land, and, as soon as that was accomplished, effect would be given to the wish of the borough.

#### MARTIN'S BAY.

Mr. MANDERS, in moving the motion standing in his name, said a similar motion, having reference to Catlin's Bay, was moved by the Colonial Treasurer a few days previously, and carried. He was aware that many members of the House had visited Martin's Bay, and could testify to the fact that as good a harbour existed there as at Jackson's Bay. The first settlers were induced to take up land there by the Government, and other settlers had since voluntarily taken up their residence there independently of

Government support. Altogether, Martin's Bay was becoming a very rising settlement. People were leaving the districts represented by the honorable members for Geraldine and Timaru, and many other parts of the Provincial District of Canterbury, and settling in this part of the West Coast. There was a fine harbour at Martin's Bay, and the expenditure of £1,000 would render it safe at all times. He hoped the House would pass the motion as it stood, and when the House went into Committee he would go into further details to prove that the expenditure of the amount asked for would be extremely beneficial. He knew that the Minister for Lands had the welfare of the district at heart, and he trusted the assistance asked for would be given.

Motion made, and question proposed, "That this House will, on Wednesday, the 28th November, resolve itself into a Committee of the Whole to consider of an address to the Governor requesting that His Excellency will cause to be placed on the Supplementary Estimates a sum of £1,000 for the purpose of removing a rock that exists at the entrance of Martin's Bay Harbour, and for the improving of the approaches to that harbour generally."—(Mr. Manders.)

Mr. MACANDREW said the Government would have no objection to the present motion being carried, as it committed them to nothing. The honorable gentleman could explain the matter further in Committee, and honorable members would then be in a better position to make up their minds as to whether the proposal should be assented to or not.

Mr. REYNOLDS considered it mere waste of time to discuss the motion. The honorable gentleman's best course would be to induce the Government to send the "Stella" round to Martin's Bay when she made her usual lighthouse trip, and obtain information as to whether the proposal was practicable or not. The report would be laid on the table next session, and the House could take action upon it if it thought fit.

Mr. WOOLCOCK said he would not oppose the motion, but he would like to know what the population of Martin's Bay was at the present time. He visited Martin's Bay about twelve months ago, and the settlement was then in anything but a flourishing condition. He should like to know how many people were to be benefited by the expenditure of the £1,000.

Mr. REES thought that, after what had fallen from the honorable member for Port Chalmers and the honorable member for Grey Valley, it would be waste of time to proceed further with the matter. It would be better that the honorable gentleman should advance what reasons he had to advance in favour of the motion, so that the House might dispose of it at once.

Major ATKINSON suggested that the House should allow the motion to be passed. The honorable member for Wakatipu should interview the Government, and ascertain whether there was any probability of the work being carried out.

Mr. J. C. BROWN thought it would have been far better to have called this a river, and not a harbour. As honorable gentlemen knew, there were many harbours of refuge on the west coast of

the Middle Island into which vessels of any size could run when they were in distress. Amongst others, there was Dusky Sound, which was frequently taken advantage of by vessels when the weather was rough. With regard to the river referred to in the motion, there was a "fresh" constantly running there, and it was very seldom that any boat could enter it. He did not think it wise to spend money in the way proposed.

Mr. SWANSON said that, if the Government would assure the honorable member for Wakatipu that when next one of their vessels went to this place the captain should be instructed to make a report regarding the rocks, such an assurance should settle the question at once.

Mr. MACANDREW might be allowed to say, in addition to what he had already stated, that the rock in question had been reported on repeatedly, and it was not unlikely that it could be removed for half the sum asked for by the honorable member for Wakatipu, or even less than half. The settlement was progressing slowly but surely, and would yet become a prosperous and important part of the colony; and in his opinion every obstacle to settlement should be removed. The Government would see what they could do in the matter.

Mr. BURNS thought the whole difficulty would be met if the Government would promise to send down the "Stella" at the earliest opportunity with some dynamite wherewith to blow the rock up.

Mr. MANDERS was quite prepared to accept the assurance of the Minister for Lands. He believed with the honorable gentleman that the rock could be removed for less than £1,000, but he had merely put that down as the very greatest sum that would be required.

Motion agreed to.

#### QUEENSTOWN AND CROMWELL RAILWAY.

Mr. MANDERS, in moving the motion standing in his name, said that the honorable member for Invercargill had obtained a promise from the Government that the line referred to in the motion should be surveyed, and that the result of the survey would be made known to the Assembly next session. When they went into Committee he would be able to show that there were 200,000 acres of land in the district which he represented which were available for the purpose, and those lands could be appropriated just as well as certain lands had been appropriated for the Strath Taieri Railway. They would be as a mere fleabite taken out of his county, which contained 4,000,000 acres of land, of which about 60,000 were freehold. He would say no more at present, but would simply move the motion.

Motion made, and question proposed, "That this House will, on Wednesday, the 28th November, resolve itself into a Committee of the Whole, to consider of an address to be presented to His Excellency the Governor praying that he will cause land, in convenient blocks, comprising in the whole 200,000 acres, contiguous to the proposed line of railway from Queenstown to Cromwell, or situate in some part of Lake County, to

Mr. J. C. Brown

be set apart for the purpose of constructing said line of railway."—(Mr. Manders)

Mr. MACANDREW thought it would be well if the honorable gentleman would not press his motion, as it was somewhat premature. The Government had already promised the honorable member for Invercargill that the line should be surveyed during the recess, and, as that survey would be made, he thought the honorable gentleman should withdraw his motion.

Mr. MOORHOUSE understood that there was some process by which the land could be reserved temporarily.

Mr. MACANDREW explained that the whole of the land in that district was held under pastoral leases, which would not expire for some years, and therefore it could not be sold.

Mr. MANDERS would accept the assurance of the Minister for Lands that the matter would be attended to, and therefore he would, with the leave of the House, withdraw his motion.

Motion by leave withdrawn.

#### DUNEDIN MUNICIPAL BILL.

Mr. J. C. BROWN, in the absence of Mr. Stout, moved, That this House will, on next sitting day, resolve itself into a Committee of the Whole, to consider of an address to His Excellency praying that he will cause the sum of £300 to be placed on the Supplementary Estimates to partially recoup the Dunedin City Council for expenses incurred in drafting the Municipal Bill of last year.

Mr. ROWE did not understand this motion. The House was asked to grant £300 for something, but no explanation had been given to the House by the honorable member for Tuapeka regarding the matter. If they passed this motion they might be called upon next week to give £500, and the following week £1,000, for a similar purpose. If they were to begin this sort of thing he did not see where they were to end, and therefore he would vote against the motion.

Mr. REYNOLDS thought he could explain the matter. Last year the Corporation of Dunedin introduced a Municipal Corporations Bill, at a cost of about £600, and, believing that the Act which was passed by the Assembly was based upon that Bill, they thought they were justified in asking the colony to pay a portion of the expense. The honorable member for Tuapeka might have stated that fact. Of course it was for the House to say whether the Council were entitled to anything or not.

Mr. KENNEDY would point out that there was some inconsistency about this matter, for, while the honorable member for Tuapeka was allowed to move a motion of this kind, his honorable colleague (Mr. Woolcock) was refused permission to do so a few days previously. He failed to see the propriety of passing a motion of this kind unless there was good reason to suppose that the House when in Committee would agree to have the amount asked for placed on the Supplementary Estimates. It could scarcely be contended that the colony was saved any expense by introduction of the Dunedin Municipal Bill of last year in this House. If that Municipality

had been put to any cost in drafting a Bill which never became law, surely they had received all the advantages they required by the passing of the measure introduced by the Government and passed by this House. He thought it would be a waste of time to discuss and pass a motion of this kind, the sense of the House being clearly against it.

Mr. BARFF would point out to the honorable member for Grey Valley that he was wrong in attempting to draw a parallel between this case and that of his honorable colleague. The latter was a motion for setting apart 250,000 acres of land for the construction of certain works. He (Mr. Barff) had explained that the honorable gentleman who was deputed to bring the resolution before the House was also a member of the Committee to whom was referred the consideration of the construction of the work. It was utterly impossible for the merits of the case to be brought out in the House, and the Speaker ruled that the question could not be put. The two cases were not at all parallel.

Mr. LARNACH said they should not waste the time of the House in going into Committee on this matter. He would certainly oppose the motion. The Dunedin Corporation were not asked to incur the expense. They did so on their own responsibility, and this House should not be asked to refund the outlay.

Mr. RICHARDSON said the honorable member for Port Chalmers was not correct in saying that the Government had availed themselves of this particular Bill in framing their measure.

Mr. REYNOLDS said the idea was entertained that the Bill passed last session was founded upon the Bill of the Dunedin Municipal Corporation.

Mr. RICHARDSON said that was not correct. The Bill of the Government was in type long before they had seen the Dunedin Municipal Corporation Bill.

Mr. McLEAN could not support the motion, although he would be glad to see the City of Dunedin get this £300; but he was sure that, if the House had to pay for the drafting of Bills some clauses of which had been used in a general measure, they would have a pretty large sum to pay to Corporations. They might as well be asked to pay for the drafting of the Auckland Bill, of which they had heard so much. This application had been refused before, and he hoped it would be refused again, as he could see no claim which the Corporation had upon the House. That Corporation had derived as much advantage from the Act passed as they would have obtained from the passing of their own measure.

Mr. REES hoped the House would reject this motion altogether. He would certainly vote against it. The Corporation of Dunedin had drafted a Bill which was thrown out in this House, and they could not come to the House and ask for payment of the cost of drafting that Bill. If such a principle were once recognized, then public bodies which required Bills passed and were not successful might ask the House to pay the expense they had incurred. If the Bill had been carried the Corporation would not have asked the House to pay the expense of drafting it.

They had reaped the advantage they desired by a portion of the Bill having been put in the Government measure. He was glad to see the Colonial Treasurer taking a stand against such a claim, and he hoped the House would strenuously oppose any such new and utterly bad principle.

Mr. J. C. BROWN was sorry that the honorable gentleman in whose name the motion stood was not present, as he did not know anything of the merits of the case beyond what he had just heard in the House. He thought that it would be advisable to postpone the matter, and he would ask leave to withdraw the motion.

Leave refused, and motion negatived.

#### GREY RIVER BRIDGE.

Mr. WOOLCOCK, in moving the motion standing in his name, might state that the Grey was generally known as a very large and dangerous river, and, notwithstanding the fact that the river ran through a very broad and populous district, yet, up to the present time, it had not been bridged at any point save that where the railway crossed. The loss of life and the inconvenience to settlers in the Grey Valley through the want of this bridge had been something very considerable. The construction of this bridge had been in contemplation for the last ten years, and during that time various efforts had been made for its construction, but without any result. Unfortunately, the Grey River had been the boundary between the Provinces of Westland and Nelson, and one of the reasons why this river had not been bridged at the point referred to was the difficulty of the two Provincial Governments agreeing as to the amount each should contribute to the construction of this bridge. Notwithstanding that difficulty, efforts had been made on the part of those local bodies to get the work done, but between the Nelson Provincial Council and the Westland Provincial Council the whole affair had fallen to the ground. The Municipality of Greymouth and private individuals had had this matter under discussion on different occasions, but there had always been some difficulty in the way, as far as private enterprise was concerned. The cost of the construction had been found altogether beyond the means of the Corporation of Greymouth. The expenses connected with a new and rising municipality, and the inconvenience, loss, and expense arising from flood and fire, had been such a drain on the resources of that local body as to place the construction of the bridge entirely beyond their means. This bridge would connect the Borough of Greymouth with the Township of Cobden. It would give increased facilities for the Greymouth people in crossing over and residing on the Cobden side, and it would be a great boon to a large number of persons who were already settled on the Cobden side, Greymouth being their principal market; and it would further be a great boon to a large number of miners who were scattered throughout that district, and who experienced serious inconvenience through the danger of crossing this river. Another advantage arising out of the construction of this bridge would be this: It would be the means of increasing, to a very considerable



extent, the amount of settlement in the Cobden District. They found from the returns published that there were at the present time on the Cobden side of the Grey River 232,000 acres of agricultural land. This land was in such close proximity to Greymouth that it would find a very convenient market, and, if these additional facilities were given for connecting this district with Greymouth, a great portion of this land would undoubtedly be taken up and settled, and thus a general benefit would be conferred. There was also, on that side of the river, a large area of coal country, and the construction of this bridge would be of considerable advantage to the district in that respect. The amount named might appear to be rather large, but when they looked at the importance of the district—when they considered the contributions of that district to the general wealth of the colony—he thought they would see that the amount asked for was really very small in comparison with the benefit accruing to the colony at large through the industries that were now being carried on there. The amount of imports there for 1876 was no less than £145,295, and the amount of exports was no less than £193,678. That gave an idea of the trade connected with this district. The contribution to the Customs revenue during the same period was £39,274. Therefore, when they took into account the importance of that district, the importance of its trade, the desirability of facilitating settlement in that district, and added to that fact the consideration that this bridge would very materially assist in that direction, he thought the House would come to the conclusion that he had fairly made out his case for the expenditure of this small sum of money.

Motion made, and question proposed, "That this House will, on Wednesday next, resolve itself into Committee, to consider of a respectful address to His Excellency the Governor requesting him to cause to be placed on the Supplementary Estimates the sum of £10,000 for the purpose of bridging the Grey River between Greymouth and Cobden."—(*Mr. Woolcock.*)

Mr. SHRIMSKI thought the counties were subsidized to deal with matters like this, and he was greatly taken aback by such a proposal coming from one who had been such a strong supporter of Abolition. Certainly he should vote against the motion.

Mr. REYNOLDS said that petitions for works of this kind were constantly coming before the Public Petitions Committee, and the Committee always refused to recommend such claims to the favourable consideration of the Government. But, in addition to that, he did not think they were justified, in the present condition of the finances of the colony, in putting sums of £10,000, or even of £1,000, upon the Estimates for such purposes. If the House did not study economy, it would have to tax the people, who would have good reason to complain in that case. The House could not go on as it was now going on without levying additional taxation. They should not agree to such motions, unless the case was shown to be urgent, a vote absolutely necessary, and the work coming clearly within the duties of the colony.

*Mr. Woolcock*

Mr. LARNACH said the Government were quite sensible of the difficulties which existed in carrying out such works, owing to many of the counties having no funds with which to take up such works as these, and it became a serious question of policy as to what should be done. He could only say this: that, if the House went into Committee on the question, he should then have to ask for time to consider the whole matter during the recess. There could be no doubt as to the necessity which existed for bridging these rivers. The number of lives lost annually, presumably from want of bridges, was extraordinarily large. The Government was fully alive to this, and he would undertake to say that the whole matter should be considered during the recess.

Mr. SEYMOUR said he was glad to receive that assurance from the Colonial Treasurer, for it was very clear that the counties, except a few of the richer ones, could not grapple with these large works; he might even go further, and say that such works had been outside the possible finance of some of the smaller provinces. It was a crying disgrace to the colony that these rivers were not bridged. Many of the most dangerous rivers in the colony were now in just the same position as they were twenty years ago, and lives were endangered, property injured, and postal communication delayed in every part of the colony in consequence. He saw no possible way out of the difficulty except for the Government to include these bridges in their public works, and consider which of them were most necessary, and which were within our means, and then bring down to the House as soon as possible a schedule of the bridges necessary to be constructed for safe travelling, the carriage of the mails, and the establishment of communication in all parts of the country.

Mr. McLEAN would like to point out to the Colonial Treasurer that the House had been spending money on roads on the West Coast to compensate that part of the colony for not having railways made there as in other parts of the colony; and, though he did not know this spot, he thought bridges must be made on the West Coast if the roads were to be of any value. There could be no doubt that the counties would not be equal to such works as this unless they had larger borrowing powers conferred on them, and it must become the duty of the General Government: it was a matter that should receive serious consideration. He thought this matter might be allowed to go into Committee and be fairly considered there, especially as the Government had treated other districts so kindly.

Mr. LARNACH explained that, if there were any sums on the present Estimates, it was owing to the action of the late Government, who had framed the Estimates. The Estimates before the House were those of the late Government.

Mr. McLEAN said the late Government had not put the sums referred to on the Estimates. The present Government had taken up some memorandum of the late Government, and adopted them as Estimates.

Mr. LARNACH was understood to contradict

the statement of the honorable member for Waikouaiti.

Mr. REID said that the Government had taken these items and made estimates of them by laying them on the table of the House and forwarding them with the recommendation of the Governor. It could easily have been ascertained from the officers of the department, and, if not from them, certainly from late Ministers, in what position these matters stood. The fact was that deputations were constantly coming in from the various districts, representing that such and such ought to be done, and members who so came as deputations were told that their applications would be considered. Notes were taken of the applications, and the whole were to be considered simultaneously, and answers given then. He knew several honorable members who thought that they were not answered speedily enough, and it was quite possible that that feeling had had a prejudicial effect upon their action towards the late Government. Because they did not get instantaneous and favourable replies from the late Government they said they could get no reply, but that the present Ministry gave answers immediately, and that business was conducted very smoothly. With regard to those items, they were only put down to be considered when all the applications had been received, so that they might be considered on their comparative merits. Not one of them had been fixed upon, and it was with very great surprise that the members of the late Government found those items in the schedule of the Estimates laid before the House. With still greater surprise they saw them treated in the Financial Statement as liabilities which had been left unprovided for by the late Government. They were not liabilities at all. The expenditure was not even decided upon. There were no promises given with regard to them, and he trusted that the honorable gentleman would not attempt to lead the House to a wrong conclusion in respect to those items.

Mr. BAIGENT thought that if bridges were to be built at all they should be placed over the rivers in the interior of the country, and not in such a position as it was proposed to place this bridge, which merely seemed to be for the convenience of residents on one side of the river going over to reside on the other. He did not know much about the Township of Cobden, and he did not know that it was a very important place. As compared with other localities in the interior, he could not see that there was any necessity for a bridge at all. He took it that the demand for this bridge showed the mistakes of which the engineers had been guilty. If the Brunner Railway had been taken on the other side of the river, on the firm ground, it would have saved three-quarters of the cost of the railway, and no bridge would have been wanted.

Mr. MURRAY understood that as soon as counties were established bridges were no more to be mentioned in the House except in terms of congratulation, but the fact was that the very scrambling which used to take place in the Provincial Councils was now found, but to an increased extent, in the House. All matters that

used previously to be fought out in the Provincial Councils were now constantly troubling the House and turning it into a great log-rolling machine. The honorable member for the Taieri talked of the sums placed on the Supplementary Estimates left by the late Government as items for consideration by Ministers. Was the honorable gentleman aware that they were printed as Supplementary Estimates before the present Government came into office? It was therefore natural to suppose that the late Government were responsible for them. He held in his hand the original Supplementary Estimates, and he found on them very considerable amounts put down for bridges. He supposed, according to the explanation of the honorable member, these were to be held out as baits, and were not to be finally dealt with until the close of the session, when the direction given to votes would very much influence how the items were to be dealt with. The honorable gentleman said that some honorable members had gone against the late Government because they could not immediately get what they wanted. It would be edifying if the honorable gentleman would point out who those honorable members were. It was not the fact of honorable members not getting what they wanted which influenced votes, but the hope of what they might get. The honorable member for Waikouaiti said there were railways in other parts of the colony, but none on the West Coast. He would point out to the honorable member that there was a most important and expensive railway constructed there, the Brunner line, and that special grants out of loan were set apart for the construction of roads in that district; and, whereas the roads paid nothing in the shape of interest on the cost, the railways throughout the colony were, according to the late Government, to pay sufficient, not only to cover the interest on their cost, but even to relieve the country from all taxation. Then the honorable gentleman appeared to forget the sums which had been paid for water-races and other undertakings on the gold fields. So that, upon all grounds, the West Coast had been very fairly considered, and that point might be dismissed. There was, however, another point which should be considered—namely, that there were many other bridges throughout the country which ought to be constructed; and, if the colony had not money sufficient for the purpose, then either there must be increased taxation by the Central Government, or—and much better would it be—the people who wanted the bridge should be called upon to tax themselves for the purpose, and not come to demoralize the House by systematic log-rolling in order to get what they wanted. He should be glad if the Government would give this matter their full and careful consideration—if they would consider whether they could not, by means of advances on loan, assist local bodies to construct public works, or else, if they could not do that, consider the desirability of giving those local bodies larger borrowing powers, so that they could themselves undertake the construction of such works as bridges. It would be a waste of time to discuss the matter further, and the honorable gentleman ought to take the assurance of the

Government, that they would consider the question during the recess, and withdraw his resolution.

Mr. KENNEDY hoped the motion would be agreed to, notwithstanding the objections the honorable member for Bruce had advanced. The particular district for which this work was asked might be regarded in the light of an outlying district in respect to the Provinces of Westland and Nelson. The honorable member for Port Chalmers produced a statement to show that Nelson and Westland had received their fair share of expenditure out of loan; but, whether that were the case or not, it could be affirmed that this particular district had not received its fair share. The railway to which the honorable gentleman referred was not constructed on the same principle that all the other railways in the colony were constructed. It was constructed exclusively as a coal railway, and reserves were set apart for the purpose—namely, as security for the railway. No doubt the sum asked for was considerable, and the proposed bridge was not on what might be called one of the main road-lines of the district, and therefore the sum claimed for its construction could not be so strongly urged as if it were on one of those main lines. At the same time, if the Superintendents of those provinces had done as the Superintendents of other provinces had done, it would now have formed a provincial liability; because in the Nelson Provincial Council it was agreed that a sum of £5,000 should be voted for the purpose if the Westland Provincial Council would agree to put a similar sum on the Estimates. With regard to the unimportance of the Township of Cobden, he thought the honorable member for Waimea could scarcely have seen the district, or, if he had, it must have been at some unfavourable time. There was a considerable settlement, not in Cobden itself, but in the Coal Creek Valley—a district not inferior to the Waimea. To connect that district with Nelson was worthy of the attention of the Legislature, and the work was altogether beyond the efforts of the local authorities. The importance of it was recognized to such an extent that, if the local authorities gave protection over the bridge, it would be created at once; but it was altogether against public policy to grant monopolies and excessive charges on main thoroughfares. He trusted the Government would allow the motion to be passed; and when in Committee, if they found there was not sufficient money to erect a dray bridge as was asked for, they might see their way to allow a sufficient sum of money to be voted to erect a wire bridge. The Township of Greymouth, as was well known, was chiefly built on a Maori reserve, whereas that on the Cobden side was built on Government land; and, if means of communication between the two places were given, he believed a large settlement would soon take place at the latter township, and the settlers of the district would then be able to take their produce to Greymouth, which was the only market available to them.

Mr. RICHARDSON said that, if the geological reports which had been laid before the

*Mr. Murray*

House were correct, it would be found that the chief reason for asking that this bridge should be built was that it would be of great assistance in developing the large quantity of coal that was known to exist in the district. If the question were allowed to be taken into Committee, the Government would, no doubt, before that stage was reached, give the subject their consideration, and the Minister for Public Works would be able to ascertain in his department what the cost of the bridge would be. As far as he was aware, it would be very costly. His object in rising was to refer to the Supplementary Estimates, with regard to which a most important statement had been made. It appeared from what was said that neither the late Government nor the present Government had considered these Estimates. That seemed to be a most remarkable oversight, and when the Estimates came on for consideration the House would have to bear that fact in mind. Perhaps, in the meantime, the Government would fortify themselves with information on all the items, and be able to enlighten the House upon them. With regard to the motion under discussion, it would be very hard that the honorable gentleman who brought it forward should be shut out, when the demands of others were admitted, simply because he came in rather late in the day.

Mr. J. C. BROWN thought the doctrine just laid down was very extraordinary. He understood that these Supplementary Estimates had been found in a printed form by the present Government when they took office. He understood that the rule was that, before Estimates were printed, they were considered. (No.) Then it ought to be the rule, so as to save the expense of printing. When he saw a copy of these Supplementary Estimates, he concluded that they had been passed by the late Government before being printed.

Mr. McLEAN might say, as a member of the late Government, that he had never seen these Estimates, and therefore they had not been passed by the Government. The rule was to have the Estimates printed before they were considered by the Cabinet.

Mr. DE LAUTOUR contended that it was of very little importance whether the late Government had finally assented to these Estimates or not, because the present Government had told the House that, in accepting the Estimates of the late Government, they intended to subject them to a strict revision. He therefore did not look upon it that the present Government were bound by the Estimates of their predecessors. It would perhaps be wise on the part of the West Coast members not to press for the amount asked for in this motion, because, in the Supplementary Estimates to which so much reference had been made, he found large sums put down for the West Coast. He did not say that the application now made was unreasonable, but, if the honorable gentleman succeeded in carrying his vote, it would amount to his losing a large proportion of the sums placed on these Estimates, which, it appeared, had not been assented to by any Government. With regard to what has fallen from

the honorable member for Bruce, he did not think that that honorable gentleman was right in laying down a hard-and-fast rule that bridges such as that proposed in the motion should be constructed by local bodies. The residents in the interior districts had no title in the land, and it would not be fair to tax those people to construct works which would benefit land that was the property of the Crown. In fact, as the people had no title in the land, there would be nothing to tax. You could not tax the land, and to raise rates upon their homes would be most oppressive. The Government must recognize the principle that they must either abandon the lands of the interior and sell them as pastoral lands, or give reasonable means of communication to and through those lands, so as to make them available for settlement. When settlers were located on the land they could be taxed, but the struggling settler who was forcing his way into the interior ought not to be called upon to construct these large works. It ought to be the policy of the Government to encourage settlers to press on into the interior, rather than to turn round and say to them, "We will tax you at a rate which will enable us to open up communication to our lands." If that theory were worked out it could only result in failure; but it was satisfactory to know that the Government recognized that, and that they had promised to consider what steps should be taken for the construction of arterial works into the interior. The honorable member for Grey Valley would consult his own interests by not pressing the motion.

Mr. MURRAY said he had previously expressed the view that Crown lands should be taxed for such works.

Mr. MACANDREW said the honorable member for Wairau had made one remark which should not be allowed to go uncontradicted. He said that New Zealand had exhibited a most scandalous and culpable neglect in not bridging its rivers. His opinion was that the reverse was the fact. He believed there was no country in the world, with such a handful of people, comparatively speaking, which had in the same time done so much toward bridging its rivers. That was done under the provincial institutions, and he believed that, had those institutions been allowed to continue, much more work of the same character would have been accomplished.

Mr. STAFFORD said the statement of the honorable member for Dunedin City was scarcely correct. It might be very true that in Canterbury and Otago very great exertions had been made to bridge the rivers, but if they took New Zealand as a whole it would be found that in the great majority of cases the rivers had been left in the condition in which the people found them when they came to New Zealand. One or two bridges had been erected out of colonial funds since the Public Works policy was initiated; but very little in this direction had been done under the provincial system. Take the Province of Wellington, for instance. Where were the bridges erected by the Provincial Government of that Province? There was a bridge put up at the Hutt, which was washed away, and a bridge to replace it was

not finished until the funds were voted by that House. A compact was entered into for the erection of the bridge at Wanganui, but that compact was never fulfilled, and it was again left to the House to vote the money for that bridge. Many other rivers between Wanganui and Wellington had not been bridged to this day. A bridge was now in course of construction over the Manawatu River, but that was not being done under the provincial system. Where were the rivers that were bridged in the Province of Auckland? Where were the rivers that were bridged in Hawke's Bay? He did not mean to say that no rivers had been bridged, but he would ask members to look at the large number of rivers in the Province of Auckland which were not bridged to this moment; and, as a matter of fact, there were, even in Otago, a large number of rivers which were not bridged under either the provincial or the general system. So that the honorable gentleman should not say that so much had been done, as applying to the whole of New Zealand. Those provinces which had a large land revenue had done a good deal, but they had not done so much as might have been done towards opening up the country. What was the meaning of the motion which the honorable member for Waikato had placed on the Order Paper? It simply meant that, in one of the most favoured parts of New Zealand, it was necessary at the present moment to vote more funds in order to open up the country. At the same time, he did not think the people of New Zealand were justly liable to reproach; in many cases they had done as much as could be expected of them; but the honorable member for Dunedin City (Mr. Macandrew) was always under the delusion that what applied to Otago applied to all New Zealand. The fact was that the North Island, from the absence of that land revenue which the Middle Island had enjoyed, had been unable to construct many bridges which, under a wise policy, would have been constructed long ago.

Mr. HODGKINSON would not make up his mind as to which way he would vote until the close of the discussion. He wished at that point to direct the attention of the honorable member for Timaru to the fact that he (Mr. Stafford), more than any other man in New Zealand, was responsible for the unsatisfactory condition of affairs at which they had arrived. This was the Parliament which had carried Abolition, and, according to the theory of the honorable member for Timaru, it was to be the grand, national, centralistic, dignified Parliament of New Zealand, consisting of superior men, who were to concentrate all their energy upon grand national subjects. But, instead of that, what did they see? A Legislature which was a bad cross between a Provincial Council and a big Board of Works. That was the result which the honorable member for Timaru had brought upon them; and, instead of coming into the House occasionally and sitting quietly in his seat, he ought to exercise all his energies, such as they were, in an endeavour to extricate the colony from the difficulty in which he had assisted to place it. It

was well known that the late Premier was kept in office by the existence of a compact with the honorable member for Timaru that he should remain there until Abolition was carried. The former Premier, Sir Julius Vogel, made a boast on one occasion that when this grand national system was brought about they would "never hear anything of those small works; such as making roads and building bridges, except by way of congratulation." But this grand national system had produced quite a contrary effect. They heard from all quarters of the House that those local bodies were quite unable to carry out those works, and were therefore compelled to come to that House and beg of the Government to help them. That was a very unsatisfactory state of things, and it was just what he expected. Instead of this grand centralistic system doing away with one great evil—the system of log-rolling—it would increase it tenfold. In previous Parliaments there had been nothing like the amount of log-rolling they had seen this session. The Order Paper was crowded with applications for making roads and bridges. It began early in the session, when the honorable member for Waikato placed this notice of motion on the Paper: "That, in the opinion of this House, it being now established that the counties are unable to make provision for the construction and maintenance of the main arterial roads of the colony, it is imperative that immediate and permanent provision should be made by the Government for the gradual construction and maintenance of the same." The honorable member for the Taieri, who was then a Minister, said that there was no necessity to bring forward such a motion, as the counties had been created, and they would be able to undertake such works.

Mr. REID.—I said it had not been proved that they were not capable of undertaking them.

Mr. HODGKINSON said they might assume that it had been proved, because the following motion stood on the Order Paper in the name of the honorable member for the Taieri himself: "That this House will, on Wednesday next, resolve itself into Committee, to consider of an address to His Excellency the Governor requesting him to cause to be placed on the Supplementary Estimates a sufficient sum for re-erecting the East Taieri Bridge, which is now unsafe for heavy traffic." He was quite entitled to infer from that that the county system had been a failure, and that the honorable gentleman was determined to take his part in the general scramble. He did not hold himself personally responsible in any sense for this result, because he always predicted that it would happen. He might also remark that the humble follower and shadow of the honorable member for the Taieri, Mr. Lumsden, had also a motion on the Paper to this effect: "That this House will, on Wednesday next, resolve itself into a Committee of the Whole, to consider of an address to His Excellency the Governor praying that a sufficient sum may be placed on the Supplementary Estimates for the purpose of the erection of a bridge on the Mataura River at Gore." He thought it probable that on the next Order Paper would appear a motion for

*Mr. Hodgkinson*

the construction of a bridge over Aperima River, in the County of Wallace, because, if the Taieri County and the Southland County were to receive assistance in such a form, the County of Wallace, which required it far more, should also receive assistance. There was a vast amount of land in the County of Wallace which was not available, and, in proportion to its area, that county was not so wealthy as Southland. One bridge in that county would be absolutely necessary, when the Otago Railway was completed, to give the settlers on the other side of the river access to the railway. According to present intentions it was proposed to put the cost on Wallace County, and, if so, it would be very heavily taxed. Even the most sanguine Centralist must admit that this county system had been a failure. He said last session that the counties were an abortion, and could not be kept alive. What did they find now? These notices were proof and evidence of the truth of what he said. He did not mean to say that, amongst the sixty counties, there might not be a few which had exceptional advantages. There was, for instance, the County of Vincent, which possessed large mineral resources; but it owed a great deal to its chairman, the honorable member for Dunstan. He thought this was one of the most important questions before the House, inasmuch as it involved a very great principle. If they were to go on with motions of this kind they would be placing both the Ministry and the members in a false position, for every district would expect its members to get money for it. The result of this would be that the Ministry would be embarrassed by applications for money. In his opinion the provincial districts should have sufficient means to carry out local works without bringing those works before the Assembly, and so giving rise to a system of log-rolling. He thought that the county system was a failure, and in his opinion it had already demoralized the House, and was, in fact, a system of the very worst description. As the honorable member for Timaru was not now present, he would not refer to what that honorable gentleman had said.

Mr. SWANSON said that the honorable member for Timaru had asked where the bridges were that had been erected at the expense of the Provincial Council of Auckland. He (Mr. Swanson) would mention some of them. One of them was the Tamaki Swing Bridge, which was erected across an arm of the sea in such a way as not to interfere with the navigation. Within sixteen miles of Auckland there were nine bridges on one road which had been erected by the province, and some of them must have cost thousands of pounds: one over the Whau was as long as the wharf in Wellington. He held that the province had done all it could in the way of making bridges, and, when it could not make a bridge over a river, it stationed a ferryman there night and day to take people over. Therefore it was entirely incorrect to say that the province had not done all in its power to provide necessary bridges. He did not believe that there was any place in the colony which had done so much in the same space of time in this direction, taking into account the

means at its disposal. Auckland had done its best, and that best was something very considerable.

Mr. ROWE had listened with very great pleasure to the remarks of the honorable gentleman who had just sat down. He must say that, notwithstanding the views he entertained with reference to Provincial Governments, he could not agree with, and, in fact, was astonished at, the remarks of the honorable member for Timaru. He agreed with the honorable member for Newton that the Province of Auckland had done all it could with the means at its disposal, and if the General Government did as well it would be very satisfactory. He held that the county system was a good and proper system for New Zealand, and, as a proof of that, he would say that, since the county had been formed in his own district, the people of the Thames had accomplished more with the small means at their disposal than the Provincial Government could have accomplished for many years to come. They had obtained the consent of the Natives to make roads which the Government had been trying to get for many years. Then, again, there was a large river at the Thames, in which many persons had been drowned during the last four years, owing to the want of a bridge. The General Government, with the assistance of their agents and officers, had been trying for a long time to get the Natives to allow them to put a bridge over the river, but they had tried in vain. Within the last year, however, the county had succeeded in obtaining the necessary consent from the Natives. He held that the county system was the proper system for New Zealand, and where it failed it was on account of the want of people who were willing to work it. If the county system was taken up by the people of New Zealand, and they entered into it heartily, they would find it much better adapted to their circumstances than the provincial system ever was.

Mr. REES was glad to hear the honorable member for the Thames (Mr. Rowe) say that his district was so well satisfied with the county system that it did not want any assistance whatever—

Mr. ROWE explained that he had not said that.

Mr. REES might have been mistaken, but he certainly understood the honorable gentleman to say so. It was quite a new and original thing to say that, when the General Government could not get the consent of the Natives to erect a bridge over a river, the county could get it. He thought that the honorable gentleman deserved some mark of recognition from the people of his county, and from the Natives who had been persuaded to give their consent to the erection of the bridge, for originating the idea. He (Mr. Rees) thought that the observations of the honorable member for Waimea regarding the value and usefulness of the bridge referred to in the motion of the honorable member for Grey Valley (Mr. Woolcock) were very just, and were well worth the consideration of the House. He believed that the river in question could always be crossed. One night, during one of the heaviest floods that

had ever occurred in the district, he had crossed the river by means of the ferry; and he believed that any person could do so at any time by the same means. The strongest argument against the motion was that which had been used by the honorable member for Grey Valley (Mr. Kennedy), who said that a bridge would be built by private persons if they could obtain the right to levy tolls. He would like to know why, if private parties were willing to build the bridge, the colony was asked to do so. If the district could build the bridge it should do so. It was not for such cases as those that the public funds should be expended, and, much as he desired to see the interests of Greymouth consulted, he did not think that this was one of those cases that this House ought to take into its consideration at all. A very large amount of money had been expended during the last few years in carrying out harbour improvements in Greymouth. In the Public Works Statement of the late Government there was a sum of £15,000 put down for Hokitika Harbour improvements. That was an item which he thought ought to be expended. The Hokitika people had had very little public money spent in their district, while the people of Greymouth had had a very large amount indeed expended upon harbour improvements. He had expressed his opinion to two or three members of the late Ministry to the effect that the proposed Hokitika Harbour improvement would be a good and useful work. He thought that the public money should only be expended on works which were urgently necessary, and which were likely to result in much public good. For instance, money might be well expended on the works pointed out by the honorable member for Waimea, in a part of the country where a large amount of auriferous land would be opened up, where the rivers were very dangerous to cross, and where there were no ferries. A few thousands spent in opening up new avenues for trade, and in enabling the miners to work the land in that district, which they could not now work because of the high cost of provisions and of travelling, would be money well expended. In out-of-the-way places, where it was absolutely necessary that some means of traffic should be provided, it would be a public benefit to expend money in that manner. He was very much pleased to hear the remarks which had fallen from the honorable member for Newton in reference to some observations of the honorable member for Timaru. The latter honorable member had a reputation of many years' standing, built, as far as he (Mr. Rees) could understand, upon nothing—built upon sand. He was sorry the honorable gentleman was not present to hear any remarks he might have to make, but he supposed it did not matter very much, although he would have preferred to say what he had to say in the presence of the honorable gentleman. The honorable member seldom addressed the House without casting a stone at somebody or something, and especially at provincial institutions. The honorable gentleman had that day denied a statement made by the Minister for Lands, that provincial institutions had done a very great deal for the different provinces. He would not say

that it came with very bad grace from the honorable gentleman to say this, but it was not true. Provincial institutions had done a great deal in road-making, the erection of buildings of a public nature, and the construction of bridges: in fact, nearly the whole of the evidences of civilization which existed in the colony at the present time in relation to these matters were owing to provincial institutions. The honorable member for Timaru had stated that these works had been carried on by the General Government with money spent from loans. He (Mr. Rees) would ask, how many bridges had been built by the General Government out of loans? How many railways had been constructed? The very object of the abolition of the provinces was said to be that roads and bridges should be constructed, not by this Assembly, but by local bodies; and now what did they see? Looking at the Supplementary Estimates prepared and printed by the late Government, he found no less than fifty-six items for the making of roads and bridges. The honorable member for the Taieri, the late Minister for Lands, stated that those Supplementary Estimates were not assented to by the late Government. Then why were they printed? What were they to infer from the printing of these Supplementary Estimates but that they had been duly considered, and were in a fit condition to be brought down to the House? The honorable gentlemen said, "Oh, no; they are only applications that have been made." The Government should not receive applications in a private manner. If any honorable gentleman would simply run his eye down the list of proposed works, it would be seen that nearly the whole of these works were to be carried out in districts represented by honorable gentlemen who supported the late Government. If they were not to be considered, why were they printed? Surely there must have been some *prima facie* understanding, at any rate. It was a matter of notoriety that some honorable gentlemen had boasted that they had obtained promises with respect to these works from the late Government. They had stated so to their constituents, and it was reported in the papers: they claimed credit from their constituents for obtaining those promises. It would be far better if applications for these works were put openly on the Order Paper, rather than that private applications should be made to the Ministry. What right had the Ministry to receive private applications? None at all. He did not think there could be a doubt as to the breaking down of the county system. The honorable member for the Thames (Mr. Rowe) very strenuously stood up for the counties; but he seemed now to want assistance for his county. If the county had been successful, why did it not do its own work?

Mr. ROWE.—It does its work.

Mr. REES hoped the Government would remember that, when any applications were made for assistance. He was sure there were many counties that had not sufficient money to do their work. In respect to the carrying out of useful works, the counties had been a lamentable failure. They could not make the necessary bridges or

roads, or carry out necessary improvements. In Canterbury the counties were not brought into force, but the local bodies of that provincial district were overflowing with money that ought to be the money of the whole colony; they had tens of thousands to their credit at the bank. With the exception of the districts in Canterbury, there was not a locality in the colony that could do its work except the town districts. He had never asked anything for his own district, because it was not affected by recent changes; so that he was in a position to give a fair and impartial judgment in relation to other districts. It could never be said, in regard to anything he had said or done, that he attempted in the slightest degree to hinder the work of colonization, or cause the slightest obstacle to the opening up of the country for settlement, whether in Auckland or in any part of the colony, north or south. The honorable member for Timaru should have remembered that the only reason why some of the provincial works were not carried on as they might have been was that the honorable gentleman and his party had been despoiling the provinces of their funds. The money had been taken from them, and they could not reasonably expect them to do as much work as they would have done if the necessary "sinews of war" had been at their disposal. He believed the provinces, with the exception of Otago and Canterbury, had suffered through the system of government which had been carried on for years past, and through the encroachments on their powers by this House, led by men who did not know what they were doing, or who, if they did, had misled this House. Those men now turned round and reproached the provinces because they could not do the work, when they had taken from them the means by which alone they could have accomplished it. He should vote against the motion being considered at all. He had no doubt it was a work that ought to be accomplished; but, if there was any possibility whatever of private funds being expended in the erection of this bridge, it was not a work which the Government should undertake at all.

Mr. KENNEDY.—There is scarcely a bridge of any importance at which tolls are not collected.

Mr. REES.—There were many rivers which would not be bridged if they had to depend on the tolls received. Where men of enterprise could profitably take up an undertaking of this sort, the Government ought not to be called upon to expend public money. There were numberless places, including those mentioned by the honorable member for Waimea, where public money ought to be expended, and where private means could not possibly be obtained for the purpose of carrying out the works required. The present proposal was only for the convenience of the inhabitants on two sides of a river, and who were already provided with very fair accommodation. Greymouth had not had such scant justice done to it as other parts of the colony. Seeing that they would have to borrow the money to carry out the public works which appeared on the Supplementary Estimates, he did not consider that this was one of the cases that ought to be con-

Mr. Rees

sidered by the House, at the present time at all events. He therefore trusted that the House would not agree to the motion.

Mr. WOOLCOCK hoped that the House would not object to go into Committee, when, if the Minister for Public Works could not see his way clear to put a sum on the Supplementary Estimates, he would be content that the work should be classed among others to be considered by the Government during the recess. He felt quite satisfied that, if the matter were looked into, the claims of the district for this work would be undeniable.

Motion agreed to.

#### COUNTY AND MUNICIPAL ENDOWMENTS.

The interrupted debate was resumed on the question, "(1.) That each county in New Zealand should have a permanent inalienable endowment of Crown lands, in proportion to the area of such county, and the endowment, where possible, to be within the county; (2.) That each municipality in New Zealand should have a permanent inalienable endowment of public lands, in proportion to population, and the endowment, where available, to be within the municipality;" and the amendments proposed: In the first resolution to omit the words "in proportion to the area of such county;" and at the end of the second resolution to add the words, "and that no grants under 'The Municipal Corporations Act, 1876,' of land outside municipal boundaries be made before the close of next session, in order that a further opportunity may be afforded for considering the endowment of municipalities on some uniform system."

Mr. BURNS said, when the arrival of the hour of half-past five had interrupted his speech on a previous occasion, he was calling attention to the discrepancy between the two parts of the resolution. One proposed to regulate the endowment in proportion to the area, and the other in proportion to population. He thought it should be regulated by population in each case. That seemed to be the object of the honorable member for Akaroa, and it was well worth consideration. He might add that he would very much like to know from the Government what they intended to do with those municipalities. He was very anxious to know whether they were going to pay the subsidies this year, or whether they intended to stop the subsidies altogether. If they would answer that question, it would throw light upon the matter, and he must say that at the present time he felt a little anxiety upon the point.

Sir G. GREY thought the honorable member was out of order and wasting time by talking in that way, when the Financial Statement gave all information on the point.

Mr. BURNS had now got all that he wanted. If the Government was going to carry out the Estimates of the late Government in this respect he was quite satisfied. But it was a strange thing that a great number of those bodies had subsidies due to them which were not paid; and they were naturally getting anxious about the matter.

Mr. LARNACH explained that that had arisen from the fact that the accounts had not been sent in.

Mr. BURNS understood that there were some old subsidies which had been standing over for a long time, which ought to have been and which would have been paid in October by the late Government, but which had not yet been paid. If the honorable gentleman would look into these matters he would find that a great deal of hardship was being inflicted upon local bodies, and he hoped that the honorable gentleman would look into the subject as soon as possible. Those bodies—he was not going to say whether properly or improperly—went on spending their money in full confidence that the subsidies would be paid, and when they were not paid on the due date a great deal of confusion and hardship arose. In conclusion, he need only say that he hoped the House would not throw any obstacle in the way of those bodies which had been promised endowments. They had applied for their endowments, and had been promised them according to law. Everything had been done fairly and above-board, and he trusted that the House would not go back from the engagements which they had legally entered into with those bodies.

Mr. MURRAY said he could not agree to the amendment of the honorable member for Akaroa, or to the theories advanced by the honorable member for Roslyn, because the counties of large area would have more roads to maintain, and very likely would possess land of an inferior quality of soil, which would not bear so high a rate-charge as that of the smaller counties. Besides, the endowment-land to be made would be of the average quality of land throughout such county, and, if of a fixed amount, would be much less in value than the endowments given in more favoured and highly-peopled districts in the colony.

Mr. MONTGOMERY.—It says nothing about the average quality of land.

Mr. MURRAY had not thought fit to encumber his resolution by going into details. All those matters could be settled by the Bill. It would be most unfair that wealthy and peopled districts which had already got roads made, and did not require so many public works or such large endowments, should receive very valuable grants, while other and poorer districts received very little. He thought it would be very unfair to fix the area according to population. He believed, however, that the honorable member for Akaroa was inclined to withdraw his amendment, and that some words additional to the motion would be moved which would make the motion acceptable to both sides of the House; and he hoped that the motion as amended would be agreed to, and the principle he sought to establish affirmed.

Mr. WOOLCOCK looked upon this as one of those little paper constitutions which the honorable member for Bruce was so fond of bringing before the House. He agreed with the honorable gentleman that it would be inconvenient to go into details, because if they did they would at



once see that the motion was thoroughly impracticable. It would require a readjustment of the endowments annually as the circumstances of the various bodies or districts required. The honorable gentleman himself evidently had sufficient knowledge of the subject to enable him to discover that his proposal was impracticable, and that it would not be advisable to press for details. It did not matter whether the motion was carried or not—it was of so impracticable a nature that it would never come into operation.

Mr. MONTGOMERY said, the honorable member for Bruce having explained that he did not mean what he had expressed, he should ask for leave to withdraw his amendment.

Leave given, and amendment withdrawn.

Mr. GISBORNE moved the excision of the words "where possible" from the resolution. According to the present system, part of the proceeds of the land sold went to the county within which it was situated; therefore it would be unfair to endow one county at the expense of another. Possibly that provision might not be taken advantage of, but still it would be as well to excise those words.

Mr. SUTTON said that, in the present state of the law, there were no such things as county endowments. The Land Fund did not go to the county, except in so far as the counties were a part of a provincial district. The Land Fund was allotted to the provincial district, and it was then subdivided to the counties in that district. This question was a very large and important one, and should be carefully considered, which could not be the case at this late period of the session, and in the present state of the House. He would therefore vote against both the amendment and the original motion. Honorable members were aware that the Government intended to make the Land Fund colonial revenue, and, if that was to be the case, this resolution would have no effect whatever.

Mr. MONTGOMERY would like to see the words "where possible" struck out; and he would also move, To omit the word "county," for the purpose of inserting the words "provincial district." That, he gathered, was the meaning of the honorable member for Totara.

Mr. MURRAY-AYNSLEY thought the endowments should be given to counties, but that they should be within the boundaries of those counties, as most of them were very large and had plenty of land. It was a very different thing with regard to municipalities, for a great number of the old municipalities had no land which could possibly be turned into an endowment for their benefit. The town he represented had an undertaking from the provincial authorities that an endowment should be made for its benefit out of lands within the provincial district. It was absolutely necessary that the borough should have that endowment in order that it might carry on at all. Even if the authorities levied the full rates that they could charge, they would not be able to do all the work unless assisted by endowments. If he had had anything to say to the setting aside of endowments for Lyttelton, he would certainly have made them much larger than

they were; but, as they were arranged between the municipal authorities and the representative of the Provincial Government of the day, the borough got much less than it ought to have got. There was great expense incurred in keeping the streets in repair, and there was a large amount of Government property within the borough which was unrateable, so that the borough must ask the House either to vote year by year the proportion that the Government property would give to the rates, or to give an endowment which could be fixed now as agreed upon. He hoped the House would not pass the second amendment, but would allow the endowments already fixed to be carried out; and then, next year, the Government could bring down a measure dealing with the future endowments of municipalities. He considered that when a township was proclaimed the Government should make certain reserves within the boundaries as municipal endowments, and should also put in their Bill a provision that private parties cutting up land as a township should be forced to put by a certain percentage of the sections as an endowment for that township, because, although those persons got high prices for the land, they left the people who took up the sections without any assistance, and caused them to apply to the House for help, when there ought to be sufficient endowments within the township itself to render them independent.

Mr. SWANSON hoped the House would keep the words "where possible" in the motion. He failed to see why the County of Eden, a section of which he represented, was to get nothing because there were no Government lands in it, while Government land was to be served out to other parts of the country because there happened to be areas of unsold land there. He had not himself troubled the House by asking for roads and bridges, but in a matter of this sort he contended that all should start fair. If there were to be endowments for some counties they should be given to all. It must be admitted by every one that the public works which had to be carried out in the County of Eden were as extensive, as expensive, and as difficult to make and keep in repair as those in any part of the colony, and yet all had to be done at the expense of the people of the county, without any assistance, except the subsidy which the House gave in addition to the rates, which subsidy, he was satisfied, would soon cease. The honorable member who moved in this matter could not have considered that, while there were some counties of enormous size—as big as Taranaki, for instance, in which there were still large areas of unsold Crown land—there were others in which there was no land left out of which to set apart endowments. He hoped the words "where possible" would be left in the motion; and let the Government of the day treat all alike.

Mr. MURRAY explained that his reason for putting in the words "where possible" was that in many counties there were not sufficient areas of unsold Crown lands to form endowments. Where the Government thought it desirable to

*Mr. Woolcock*

set apart endowments they should first of all grant them within the boundary of the county itself, and, when there was not sufficient land within the county, they should take land as near as possible outside the county boundary. His object would not be defeated by the amendment of the honorable member for Akaroa, and he would therefore not oppose it. Of course, when the Bill was before the House which would give effect to these resolutions, honorable members could discuss all the minutiae, which need not be done now, and then it could be kept in view that endowments should be in or near the county interested. With regard to what had fallen from the honorable member for Lyttelton as to the necessity for insisting on endowments being set apart in townships laid out by private individuals, he might point out that that course had already been adopted in one instance, at all events. He was informed that the Hon. H. R. Russell, a member of the other House, had laid out the Township of Waipukurau in sections which were leased for ninety-nine years, at the end of which time they would become the property of the municipality. That was a wise provision, and showed a liberality and good sense which it might be well for the Government and other proprietors to imitate.

Mr. Gisborne's amendment, "That the words 'where possible' be struck out," agreed to.

Mr. Montgomery's amendment, "That 'provincial district' be substituted for 'county,'" agreed to.

On the question, That the amendment to the second resolution be agreed to,

Mr. REID said he was disposed to vote against the motion altogether, because the law already provided for granting municipal endowments. He thought it would be unwise to fix the endowments according to population. It would be far better to deal with applications for municipal endowments as they arose. There were many municipalities with small populations at the present time which in fifty years might be of far more importance than municipalities which now had large populations. The endowments should rather be made in accordance with what might be supposed to be their ultimate importance; and, carrying out that view, it would be better to endow existing municipalities from time to time, as their necessities demanded. The system of granting endowments in proportion to population would operate very unfairly in many cases. For instance, municipalities required assistance in their early days in order to enable them to form streets and to carry out sanitary arrangements. Then, as the population became more dense, they might grant endowments up to a reasonable limit, and finally leave the inhabitants themselves to raise what further funds they might require. The hands of the Government should not be tied. They should be left to take into consideration the wants of particular districts as necessity arose, subject to a maximum limit. The question arose with the late Government whether there should be a smaller grant in some cases, and they decided to grant the maximum in every case, because, no matter how

good the reason for refusing to go beyond a certain limit, it might be said that they did not do so because the member who requested it did not happen to be a supporter of the Government. He quite agreed with the first resolution. The day was fast approaching when the counties would not get subsidies from revenue, and, that being so, there was no reason why they should not be placed in a position, by means of endowments, to provide for their own requirements. He hoped the time was not far distant when subsidies to counties would be discontinued. It was a mistaken policy to raise revenue from Customs duties in order to dole it back in the shape of subsidies, which induced the inhabitants to tax themselves lest they should lose their share of the Customs revenue. If the principle he advocated were acted upon, the Colonial Treasurer would, in future, be able to shape his finances on a more satisfactory basis.

Mr. SWANSON said he cared very little what became of the motion, but he wished to touch upon a remark made by the honorable member for the Taieri. In Auckland sixpence extra was tacked on to the rates in order to get the subsidies. Instead of taxing themselves less they had made the taxes more, and that accounted for the rates of the Borough of Auckland being so high for the last year or two. He quite agreed that it was wrong to raise money from Customs for the sake of handing it back again in the way of subsidies. It would be far better to leave it in the pockets of the people, for money collected in that way lost largely before it got back again. There was one other matter to which he wished to draw the attention of the Government. There were a great number of new towns being laid out—several were being laid out near Wellington just now—which were nothing but curses. They were laid out by private people, who had not the slightest regard to the formation of streets or the convenience of the public. No reserves were made in them for public purposes; no endowments to relieve the rates, or for education. People bought sections in these towns without ever seeing them. That had been done in Auckland over and over again. Thousands of pounds had been made by land-jobbers, who laid out towns without any regard to public requirements. If the Government laid out a town they made all proper arrangements; sites were reserved for schools, post offices, and police stations, in view of the possibility of a large population being settled in the town; but it appeared to be nobody's business to see that proper arrangements were made when a private town was laid off. He contended that it was the bounden duty of the Government to attend to these matters, and to see that proper provision was made to meet the wants and see to the health of the people. They should see that the streets in private towns were of the proper width, with open spaces for recreation, and that a proper system of drainage was provided, and, above all, that a proper title was given, for there were cases where people had discovered that, after being in possession of their sections for some years, there was a mortgage over the

land, they lost the money they paid and the houses they had built, the money received from the section-holders being put into other speculations instead of going to pay off the mortgage. He hoped the Government would give this subject consideration. Mr. O'Neill introduced into the last Parliament a Bill to regulate the plans of towns, but it applied solely to Government towns. It was the duty of the Government to see that private towns were properly laid out, and he hoped they would not neglect it. He saw from the newspapers that grievances connected with private streets were constantly cropping up in Wellington; but, apart from all other views of the matter, the Government should see that these streets were of a proper width. In a narrow lane, if it became necessary to lay a drain, or if there was a dray unloading, all traffic had to be stopped in consequence; and, if a fire broke out, nothing could be done, for want of room. He would conclude with an appeal to the Government to look closely into this subject in the future.

Amendment negatived.

Mr. GIBBS, in order that the resolution should not be an empty record, moved the following addition: "and that any measure giving effect to the generalization of the land revenue should include provision to give effect to the foregoing resolution."

Mr. REID thought it would be better to adopt the first resolution as it stood, and then allow the matter to stand over.

Sir G. GREY hoped the resolution would not be agreed to.

The hour of half-past five o'clock having arrived, the ACTING-SPEAKER left the chair.

#### HOUSE RESUMED.

The ACTING-SPEAKER resumed the chair at half-past seven o'clock.

#### NORTH OF AUCKLAND WORKS.

On the motion of Sir R. DOUGLAS, it was ordered, That an address be presented to His Excellency, praying that he will cause to be placed on the Supplementary Estimates the following sums for the works set opposite to them, respectively: Road from Maungaturoto to Waikakei, £1,000; for opening road at Ruatangata, £300; wharf at Whangarei Heads, £200; road at Maungakarama, £800; tramway at Kamo, £2,000; Mangapai Wharf, say, £800: total, £5,500.

#### LOTTERIES BILL.

The House went into Committee on this Bill.

Mr. ROWE moved, That the Chairman do leave the chair.

Question put, "That the Chairman do leave the chair;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	27
Noes	...	...	...	...	23
Majority for	...	...	...	...	4

Mr. Swanson

#### AYES.

Mr. J. C. Brown,  
Mr. J. E. Brown,  
Mr. Bunny,  
Mr. Burns,  
Mr. Dignan,  
Sir R. Douglas,  
Mr. Fisher,  
Mr. Hamlin,  
Dr. Henry,  
Mr. Hunter,  
Mr. Joyce,  
Mr. Kelly,  
Mr. Macandrew,  
Mr. Moorhouse,

Mr. Nahe,  
Mr. Rees,  
Mr. Richmond,  
Mr. Sheehan,  
Mr. Shrimski,  
Mr. Takamoana,  
Mr. Tawiti,  
Mr. Tesehemaker,  
Mr. Tole,  
Mr. Williams,  
Mr. W. Wood.  
*Tellers.*  
Mr. Barff,  
Mr. Rowe.

#### NOES.

Major Atkinson,  
Mr. Baigent,  
Mr. Brandon,  
Mr. De Lautour,  
Mr. Gibbs,  
Mr. Gisborne,  
Mr. Hislop,  
Mr. Hodgkinson,  
Mr. Kennedy,  
Mr. Larnach,  
Mr. Lumsden,  
Mr. Manders,

Mr. McLean,  
Mr. Montgomery,  
Mr. Ormond,  
Mr. Reid,  
Mr. Stevens,  
Mr. Sutton,  
Mr. Swanson,  
Mr. Travers,  
Mr. Woolcock.  
*Tellers.*  
Mr. Murray,  
Mr. Stout.

The motion was consequently agreed to, and the CHAIRMAN left the chair.

#### FOREST TREES PLANTING ENCOURAGEMENT BILL.

The House went into Committee on this Bill.

Mr. W. WOOD moved, That the Chairman do leave the chair.

Question put, "That the Chairman do now leave the chair;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	23
Noes	...	...	...	...	32
Majority against	...	...	...	...	9

#### AYES.

Mr. Barff,  
Mr. J. C. Brown,  
Mr. J. E. Brown,  
Mr. Bunny,  
Mr. De Lautour,  
Mr. Fisher,  
Mr. Hamlin,  
Mr. Hodgkinson,  
Mr. Joyce,  
Mr. Kelly,  
Mr. Macandrew,  
Mr. Murray,

Mr. Nahe,  
Mr. O'Rorke,  
Mr. Rees,  
Mr. Rowe,  
Mr. Shrimski,  
Mr. Takamoana,  
Mr. Tawiti,  
Mr. Thomson,  
Mr. Tole.  
*Tellers.*  
Mr. Hislop,  
Mr. W. Wood.

#### NOES.

Major Atkinson,  
Mr. Beetham,  
Mr. Bowen,  
Mr. Bryce,  
Mr. Burns,  
Mr. Curtis,  
Mr. Dignan,  
Sir R. Douglas,

Mr. Murray-Aynsley,  
Mr. Ormond,  
Mr. Richardson,  
Mr. Sheehan,  
Mr. Stevens,  
Mr. Stout,  
Mr. Swanson,  
Mr. Tairaoa,

Mr. Gibbs,	Mr. Teschemaker,
Dr. Henry,	Mr. Travers,
Mr. Hunter,	Mr. Wason,
Mr. Kennedy,	Mr. Williams,
Mr. Larnach,	Mr. Woolcock.
Mr. Manders,	
Mr. McLean,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Gisborne,
Mr. Moorhouse,	Mr. Reid.

The motion was consequently negatived.

Mr. SHRIMSKI moved, That the Chairman report progress, and obtain leave to sit again.

Question put, "That the Chairman report progress, and ask leave to sit again;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	24
Noes	...	...	...	...	21
Majority for	...	...	...	...	3

## AYES.

Mr. Barff,	Mr. Nahe,
Mr. J. C. Brown,	Mr. O'Rorke,
Mr. Bunny,	Mr. Rowe,
Mr. De Lautour,	Mr. Takamoana,
Mr. Fisher,	Mr. Tawiti,
Mr. Hamlin,	Mr. Teschemaker,
Mr. Hislop,	Mr. Thomson,
Mr. Hodgkinson,	Mr. Tole,
Mr. Joyce,	Mr. W. Wood.
Mr. Macandrew,	
Mr. Manders,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Rees,
Mr. Murray,	Mr. Shrimski.

## NOES.

Mr. Beetham,	Mr. Ormond,
Mr. Bowen,	Captain Russell,
Mr. Burns,	Mr. Seymour,
Mr. Cox,	Mr. Sheehan,
Mr. Dignan,	Mr. Stevens,
Mr. Gibbs,	Mr. Swanson,
Mr. Gisborne,	Mr. Taiaroa,
Mr. Larnach,	Mr. Wason.
Mr. McLean,	<i>Tellers.</i>
Mr. Moorhouse,	Mr. Reid,
Mr. Murray-Aynsley,	Mr. Richardson.

The motion was consequently agreed to, and progress was reported.

Mr. REID moved, That leave be given to sit again on Wednesday next.

Mr. MURRAY moved, That the word "next" be struck out, with a view to the insertion of the word "month." At this stage of the session there was no time to consider impracticable measures. A great deal of rubbish had been talked on the subject, by the honorable member for Timaru, amongst others, as to the cost of planting. However, he should not take up the time of the House in discussing the matter further.

Question put, "That the word proposed to be left out stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	28
Noes	...	...	...	...	23
Majority for	...	...	...	...	5

## AYES.

Mr. Beetham,	Mr. Ormond,
Mr. Bowen,	Mr. Richardson,
Mr. Burns,	Captain Russell,
Mr. Cox,	Mr. Seymour,
Mr. De Lautour,	Mr. Sheehan,
Mr. Dignan,	Mr. Stevens,
Sir R. Douglas,	Mr. Stout,
Mr. Gibbs,	Mr. Swanson,
Mr. Gisborne,	Mr. Taiaroa,
Mr. Harper,	Mr. Teschemaker,
Mr. Hunter,	Mr. Wason.
Mr. Larnach,	
Mr. Manders,	<i>Tellers.</i>
Mr. Moorhouse,	Mr. Hursthouse,
Mr. Murray-Aynsley,	Mr. Reid.

## NOES.

Mr. Barff,	Mr. Rees,
Mr. J. C. Brown,	Mr. Reynolds,
Mr. Bunny,	Mr. Rowe,
Mr. Fisher,	Mr. Shrimski,
Mr. Hamlin,	Mr. Takamoana,
Mr. Hislop,	Mr. Tawiti,
Mr. Hodgkinson,	Mr. Thomson,
Mr. Kennedy,	Mr. Tole,
Mr. Lumsden,	Mr. W. Wood.
Mr. Macandrew,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Joyce,
Mr. Nahe,	Mr. Murray.

The amendment was consequently negatived, and the original resolution agreed to.

## AORERE TRAMWAY.

On the Order of the day being called, That the House go into Committee of the Whole, to consider of an address to be presented to His Excellency the Governor, praying that land, in convenient blocks, comprising in the whole 20,000 acres, be set apart, in the Aorere Valley, for the purpose of constructing a tramway to open up the land in that valley for settlement by connecting it with the shipping port of Collingwood; and that he will be pleased to cause surveys to be made and specifications to be prepared during the recess,

Mr. REES moved, That the Order be postponed for one week.

Mr. GIBBS trusted the House would not postpone the going into Committee on this question, and that no particular feeling on the part of any honorable members would induce them to prevent the subject being discussed. The object was one which, he was sure, would commend itself to the House fully as much as any resolution of a similar character that had come before it this session. If the resolution were passed, he had no intention of asking the House to consider a Bill to carry it into effect. He merely wished the House to affirm the principle and ask the Government to have this piece of country surveyed. He was confident that, if the Government carried out the latter part of the resolution, and had this valley surveyed, they would be convinced that what he had previously stated was quite true—namely, that a road would open up for settlement a very large extent of country. A further extent of country would be opened up, which at present was quite unapproachable, for pastoral purposes—

an extent of country which very few persons in New Zealand knew anything about. He did not himself know the land minutely, but he knew it sufficiently to say that there was a large area of country which would be available for pastoral purposes after a road had been made through this valley. There was now no possible approach to the country he referred to. He trusted the House would pass the resolution, asking the Government to have the survey of the valley made.

Mr. HODGKINSON should be sorry to oppose any motion of this kind, but all these cases ought to be dealt with fairly. A few days ago, when he had brought forward a more urgent resolution, having reference to important coal fields in the colony—a motion which had stronger claims to consideration—he was obliged to withdraw it. He thought the honorable gentleman should be satisfied with eliciting the views of the Government on the subject. If this resolution were dealt with as his (Mr. Hodgkinson's) resolution had been dealt with, he would have no objection.

Mr. BAIGENT supported the resolution. If the proposed road were made through this valley, it would open up a fine extent of country, and thousands of acres of land would be rendered available. It was known that coal, gold, silver, and marble existed in that part of the district. The House had already agreed to set apart certain blocks of land in Otago for a similar purpose, and he thought honorable members ought at least to adopt this resolution.

Mr. MACANDREW looked favourably upon the proposition made in this resolution, and hoped the House would not object to consider it.

Question put, "That the Order of the day be postponed till this day week;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	40
Majority against	...	...	...	...	28

#### AYES.

Mr. Barff,	Mr. Tairaroa,
Mr. J. C. Brown,	Mr. Takamoana,
Mr. De Lautour,	Mr. Tole.
Mr. Murray,	
Mr. Nahe,	<i>Tellers.</i>
Mr. Rowe,	Mr. Hodgkinson,
Mr. Shrimski,	Mr. Rees.

#### NOES.

Mr. Ballance,	Mr. McLean,
Mr. Beetham,	Mr. Montgomery,
Mr. Bowen,	Mr. Moorhouse,
Mr. J. E. Brown,	Mr. Murray-Aynsley,
Mr. Bunney,	Mr. Ormond,
Mr. Burns,	Mr. Reid,
Mr. Cox,	Mr. Reynolds,
Mr. Dignan,	Mr. Richardson,
Sir R. Douglas,	Captain Russell,
Mr. Fisher,	Mr. Seymour,
Mr. Gisborne,	Mr. Stevens,
Mr. Harper,	Mr. Swanson,
Mr. Hislop,	Mr. Tawiti,
Mr. Hunter,	Mr. Techemaker,

*Mr. Gibbs*

Mr. Hursthouse,	Mr. Thomson,
Mr. Joyce,	Mr. Wason,
Mr. Kennedy,	Mr. W. Wood.
Mr. Larnach,	
Mr. Lumsden,	<i>Tellers.</i>
Mr. Macandrew,	Mr. Baigent,
Mr. Manders,	Mr. Gibbs.

The motion was consequently negatived.

Mr. GIBBS said that, in order to save the time of the House, as the Minister for Lands had given an assurance that he looked favourably on the proposal, he would ask leave to withdraw the motion.

Captain RUSSELL did not think that the honorable gentleman ought to be allowed to withdraw the motion, because the Government were taking up a position which they ought not to be permitted to assume, considering the policy with regard to the land which they had lately introduced. Until the House knew more about the land policy of the Government it should not affirm such a principle as that which was now enunciated—namely, that of giving away land for the purpose of constructing district railways. He must object to the withdrawal of the motion.

Mr. MACANDREW thought that, after the division which had just taken place, the Government would be perfectly warranted in getting a report upon this proposed work; and, when that report was laid before the House, the whole question could be discussed. The proposition was not to carry out the work now, but merely to get the necessary data on which to submit a proposal to the House.

Mr. GIBBS said that, as there was an objection to his withdrawing the resolution, it had better go through the ordinary course.

Resolution considered in Committee, and agreed to.

#### CATLIN'S RIVER TELEGRAPH.

##### IN COMMITTEE.

Mr. THOMSON moved, That an address be presented to His Excellency the Governor, requesting him to cause to be placed on the Supplementary Estimates the sum of £2,000, for the purpose of extending the telegraph to Catlin's River.

Mr. BURNS would like that the line should be extended to the Nuggets Lighthouse, and would move the addition of the following words: "and to the Nuggets Lighthouse."

Mr. THOMSON would accept the amendment.

Mr. FISHER said this was an important national undertaking, and he thought the line might well be extended as proposed by the honorable member for Roslyn.

Mr. McLEAN did not see why places should be treated in a different manner. When the Government was asked to extend the telegraph line to the Kaipara, the people there were required to give a guarantee of £350 that the line would pay, and he thought that a guarantee ought to be given in this case also, especially when it was understood that both cases should be treated alike. He would move the addition of the words, "provided the usual guarantee was given."

Mr. GIBBS would like to know in how many cases such a guarantee had been given. If it were expedient that the telegraph should be made, he thought it should be made in the interests of the public generally, and without any guarantee being required. It was not only the people of that particular locality who would benefit by the extension of the telegraph, but it was the country at large. He did not think guarantees were necessary in cases of this kind.

Mr. STOUT would like to know whether the honorable gentleman had ever heard of a light-house-keeper being asked to give a guarantee to the Government that the telegraph when extended to the lighthouse would pay.

Sir R. DOUGLAS did not believe in requiring guarantees, and, if a guarantee were required in this case, he hoped that a guarantee would also be required for the Northern Wairoa line.

Mr. HUNTER thought a guarantee ought to be given. It was the common practice to require a guarantee, and no exception should be made in this case.

Mr. STOUT said if the line were extended to the Nuggets Lighthouse it would be taken miles out of its way. He knew the object of the honorable member for Roslyn in wishing to have the line taken by way of the Nuggets. The honorable member thought that some saw-millers at Catlin's River were going to get an advantage. If the Government were to be compelled to cause the settlers of Catlin's River to give a guarantee that this line would pay, he did not know what they would be required to do next.

Mr. McLEAN said they all knew that the extension of the line to the lighthouse would not pay. The telegraph at Catlin's River would be principally used by the saw-millers.

Mr. STOUT would like to know whether the settlers at Owaka Flat would not avail themselves of the telegraph.

Mr. McLEAN did not know whether they would or not. If he had remained in office he intended, when this matter came up, to add the words to the motion which he had already stated. If the House did not require a guarantee from the settlers at Catlin's River, he thought the guarantee which had been required from the Kaipara should be removed. As the telegraph was extended for the benefit of the people of the whole colony, those lines which paid well should be made to pay for those which did not pay. It was necessary in the interests of the colony that the telegraph should go from one end of New Zealand to the other, whether these lines paid or not.

Mr. MACANDREW wished to know whether the honorable gentleman when he was Commissioner of Telegraphs required a guarantee from the Dunstan and Queenstown people, or from the people residing in a great many other places to which the telegraph had been extended. It was unfair to single out the settlers at Catlin's River, and to require a guarantee from them. He could mention scores of places, of less consequence than Catlin's River, from which no guarantee whatever had been required.

Mr. BURNS hoped that as soon as the line

was erected the Minister for Telegraphs would advertise the fact. If the line were extended as proposed it would be a great boon to sailors and shipping men generally. In the interests of those poor fellows who had to struggle through the waves, and whose lives were frequently imperilled, he hoped due notice would be given of the completion of the line.

Mr. McLEAN said it might easily be perceived that he was not in favour of taking these guarantees, but he wished all places to be treated in the same way.

Mr. GIBBS said that, as sailors had been referred to by the honorable member for Roslyn, he could state to the House that he had known of vessels that had been knocking about the Straits for two or three weeks before anchoring at Totaranui, and the captains of which, in his opinion, would be glad to pay double or even treble rates if they had the opportunity of communicating with the owners or consignees.

Mr. ORMOND understood that it had been the practice of the Government hitherto, when the telegraph was extended to any district, to call upon the people of that district, in the event of the line not paying, to give a guarantee. He understood that the honorable member for Wai-kouaiti had only suggested the guarantee because the people in this locality were very few, and were not likely to support the line.

Mr. LARNACH said that the cost of this work was estimated at £2,000, and a fair guarantee to ask for would be £100 a year. Apart altogether from that, however, the Government were quite satisfied that the line when completed would pay. Moreover, it would be a great convenience to shipping, and he believed that if it had been constructed a few years ago a very fine vessel which was wrecked on the coast some time since would have been saved.

Mr. JOYCE said the coast was very much exposed, and it was absolutely necessary that the telegraph should be extended in that direction, without any guarantee at all. He had been present at the wrecks of the vessels referred to, and he knew that, had the telegraph been extended at that time, a great deal of inconvenience would have been saved. He remembered meeting the Commissioner of Telegraphs on one of those occasions. The honorable gentleman was then in a very forlorn condition, and, had the telegraph been available, he would have been spared a good deal of exposure, and so would others. Then he was at the wreck of the "Surat" a few days after it occurred, and he knew that a great deal of annoyance would have been saved had a telegraph line been available. He was quite certain that a guarantee should not be required, and he hoped the motion would be carried without further opposition.

Mr. BURNS said the question as to the line paying would depend a good deal upon where the station was placed. He hoped the hint would not be disregarded.

Amendment negatived, and resolution agreed to.

The House adjourned at a quarter-past one o'clock a.m.

## LEGISLATIVE COUNCIL.

Thursday, 22nd November, 1877.

First Readings—Third Readings—Greymouth Native Reserves—Oamaru Railway Reserve—Native Reserves Bill—Dr. Campbell—Waste Lands—Imprest Supply Bill No. 7—District Railways Bill—Fish Protection Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

## PRAYERS.

## FIRST READINGS.

Timaru Harbour Bill, Jackson's Bay Road District Bill, Hutt, Waikanae, and Palmerston Railway Bill, Lyttelton and Heathcote Recreation Ground Bill, Mount Cook Road District Bill, Taranaki Smelting Works Bill, Christchurch

Board of Health Bill, Canterbury Railways Land Bill, Peninsula County Bill.

## THIRD READINGS.

Walsh and Others Pension Bill, Patca Harbour Bill, Bluff Harbour Bill, Onehunga Endowments Bill, Otago Museum Bill.

## GREYMOUTH NATIVE RESERVES.

The Hon. Captain FRASER asked the Hon. the Colonial Secretary, If the Government will take steps to curtail the very large expenditure at present incurred in collecting the rents of Maori reserves at Greymouth and Hokitika? He put the question in consequence of the perusal of a return which he held in his hand, and which, with the permission of the Council, he would read. It was a statement of the receipts and expenditure of the Greymouth Native Reserve Fund from the 1st July, 1876, to the 30th June, 1877:

<i>Receipts.</i>							
Amounts collected and paid to Public Accounts as under, viz.,—						£	s. d.
Greymouth	...	...	...	...	...	3,461	5 10
Teremakau	...	...	...	...	...	11	7 6
Kaiata	...	...	...	...	...	50	0 0
Arnold	...	...	...	...	...	4	7 6
Hokitika	...	...	...	...	...	16	17 6
Arahura	...	...	...	...	...	119	5 6
Balance to credit, as per statement of 30th June, 1876 ...						...	...
Additional amount placed to credit of fund as per adjustment ...						...	...
Total receipts						£3,663	3 10
						2,732	15 8
						45	18 10
						£3,441	17 11

<i>Expenditure.</i>							
Amounts expended on behalf of the Natives,—						£	s. d.
Allowance for rent	...	...	...	...	...	1,754	10 0
Medical attendance	...	...	...	...	...	59	5 6
Road rate	...	...	...	...	...	18	15 0
Passages	...	...	...	...	...	48	5 0
Miscellaneous expenses	...	...	...	...	...	501	17 3
Building materials, &c.	...	...	...	...	...	60	4 8
Loans	...	...	...	...	...	37	4 6
Salaries	...	...	...	...	...	212	10 0
						2,692	11 11
Protective works	...	...	...	...	...	541	7 9
Forming streets	...	...	...	...	...	150	0 0
Surveys and plans	...	...	...	...	...	103	6 0
Printing	...	...	...	...	...	12	2 6
Commission, collecting rents	...	...	...	...	...	283	0 9
Travelling expenses	...	...	...	...	...	82	2 6
Sundries	...	...	...	...	...	52	4 11
Total expended out of imposts						3,916	16 4
Amounts paid direct by Treasury,—						...	...
Commissioner's salary, 9 months ...	...	...	...	...	...	168	15 0
Interpreter's " 12 " ...	...	...	...	...	...	50	0 0
Schoolmaster's " 12 " ...	...	...	...	...	...	75	0 0
One-fourth cost of adjusting Native Reserves Accounts	...	...	...	...	...	12	10 0
						306	5 0
Total expenditure						4,323	1 4
Minus 3 months' salary paid Commissioner, transferred to Nelson Native Reserves Account						...	...
						56	5 0
Carried forward						4,266	16 4

Mr. Burns

Brought forward ... ..	£2,266	16	4
Additional amount chargeable against fund, as per adjustment account ... ..	842	9	8
	4,609	6	0
Overdraft due by Nelson Native Reserve Fund, as per adjustment ... ..	910	13	0
Available balance to 30th June, 1877 ... ..	921	18	11
	£26,441	17	11

What he wished to call the attention of the Colonial Secretary to was the enormous expenditure for the collection of such a small amount of rent. He trusted the honorable gentleman would give him an assurance that during the recess he would make such proper inquiry into this matter as would enable him to put it on a better footing.

The Hon. Colonel WHITMORE said there could be no doubt that these charges were excessive, and that some person had been making a very good thing out of it. He would take good care that this matter was looked into, and the honorable gentleman might rest assured that the Government would make every possible inquiry, and take such steps as were necessary to insure a fairer proportion between the revenue and the charges.

#### OAMARU RAILWAY RESERVE.

The Hon. Mr. MILLER asked the Hon. the Colonial Secretary, if it is true that a portion of Block 95, Oamaru Town, lately acquired by the Government for railway purposes, has been let to a private firm for the purpose of erecting a grain store; and, if so, when and on what terms?

The Hon. Colonel WHITMORE said the answer was, that there had been lately let to Messrs. Hay and Barr, of Oamaru, a site for a grain store, under an agreement a copy of which he had on his table. The site was leased on the 30th October for a term of twenty-one years, but provision was made for resuming the site upon three months' notice, with compensation. The lease was effected under general instructions to facilitate the erection of grain stores by private individuals, given by the late Government with the view of saving the cost to the colony of erecting grain stores. It had been done under "The Public Works Act, 1876," which gave power to take reserves, and he believed that the one real grievance in this matter was that the land was a recreation reserve. Power was given under the Act referred to to take reserves, without compensation, after giving due notice; but the Government made an exception in this case, and gave £207 to the Board as compensation. The site had been let by tender, and had been advertised.

#### NATIVE RESERVES BILL.

The Hon. Captain FRASER, in moving the motion standing in his name, said that the first meeting of the Committee on this Bill took place on the 11th September, and since that date they had met eight times. A great deal of very valuable evidence had been taken by the Committee, and he thought it would be a great pity if that evidence were lost. It was very much in favour of the Native population of Grey-mouth and the

West Coast. He thought it very desirable that the evidence should be put on record, and therefore he moved the motion.

Motion made, and question proposed, "That it be an instruction to the Chairman of the Native Reserves Amendment Bill Committee to lay the evidence taken before that Committee on the table."—(*Hon. Captain Fraser.*)

The Hon. Dr. POLLEN said the action of the honorable gentleman in this matter had been characterized by his usual impulsiveness, but he was bound to say that on this occasion it had not been characterized by his usual courtesy. It appeared to him that the honorable gentleman's proceeding was particularly unseemly in respect to his colleagues on the Committee: if he had taken the trouble, before he put his notice on the Paper, or when he was seized with an idea as to the great wrong done to the Native people by the oppressive operation of the Native Reserves Act in that district, to consult them, he would have been informed that he (Dr. Pollen) intended immediately to call a meeting of the Committee and bring down a report upon the subject.

The Hon. Mr. LAHMANN would like to know whether the Committee was going to bring up a report at all on this subject, as stated by the honorable gentleman who moved the motion. The Committee had been sitting very nearly two months, and no result whatever had attended their meetings. He would be glad to know why such had been the case, and why a report had not been brought up. He would like the Chairman of the Committee to inform the Council whether they were to expect a report. All the evidence taken by the Committee would be so much waste paper. He could hardly suppose that the honorable gentleman who moved the motion entertained the idea that the Natives had not been well treated in the part of the country referred to. The Natives there had got the very best rents for their lands out of the present occupants, and all the European tenants wished for was to come to an arrangement with the Natives in order to get a longer and more secure tenure. He was at a loss to understand what use the evidence would be to the Council without a report from the Committee.

The Hon. Mr. MANTELL said it seemed to him that the best course for the mover of the resolution to take, after the explanation made by the Chairman of the Committee, would be to ask the leave of the Council to withdraw his motion. At the same time, the intention of the Chairman of the Committee to submit a report to his colleagues for consideration did not amount to the adoption of any report. He thought there was a strong probability of no report being adopted by that Committee. If that were the



case, he thought it would be a wise measure to adopt a resolution such as this, in order to preserve the evidence taken. He would suggest to the honorable gentleman that at the present time no good purpose would be served by pressing on the resolution.

The Hon. Captain FRASER said they were told that Parliament might be prorogued next week, and he thought it was very improbable, seeing that the Committee had been postponed so long, that it would be called together again at all. He wished to have the evidence placed on record, and that was the reason why he proposed the motion. However, as the Hon. Dr. Pollen had said he was going to call the Committee together, he had no object in pressing the motion, and begged to withdraw it.

Motion by leave withdrawn.

#### DR. CAMPBELL.

The Hon. Mr. BUCKLEY, in moving the motion standing in his name, said he would refer briefly to what had taken place in reference to the case of Dr. Campbell, who had been one of the surgeons of the Christchurch Hospital. It would be in the recollection of the Council that some time ago a debate took place, on a motion by the Hon. Mr. Robinson, in respect to a petition, addressed to the Colonial Secretary by several other surgeons of the Christchurch Hospital, asking that an inquiry should be made into the conduct of Dr. Campbell in reference to a private matter. Afterwards Dr. Campbell himself requested that an inquiry should be made into the matter. Previous to that debate there was a letter read in the Council by the Hon. Mr. Robinson referring to charges made against Dr. Campbell in connection with another institution in Christchurch.

The Hon. Mr. ROBINSON did not read the letter.

The Hon. Mr. BUCKLEY was very sorry that he must give his own version. He heard the honorable gentleman read the letter, and he was interrupted before he completed the reading of it. He so far heard the letter that he might allude to what it referred to. It referred to the conduct of Dr. Campbell in connection with an institution under Government control in Christchurch. What took place upon this letter did not appear in *Hansard*, and had been suppressed. The newspapers had taken notice of it, and it had been commented upon by the local papers in Canterbury. He believed this letter was afterwards handed over by the Hon. Mr. Robinson to the late Colonial Secretary. From some cause or another, the letter had mysteriously disappeared. He thought it was right that the Commission should be instructed to inquire into this matter also, not only as an act of justice to the institution, but also to Dr. Campbell himself. He understood that the matter which the Commissioners had been ordered to inquire into was an entirely private one, unconnected with the hospital. Therefore he moved the motion standing in his name. As he said before, this matter should be inquired into, in justice to the institution, as well as to Dr. Campbell itself. If it

Hon. Mr. Mantell

were not inquired into it would seriously injure the professional reputation of Dr. Campbell.

Motion made, and question proposed, "That, in the opinion of this Council, it is desirable that the Commission appointed to inquire into the case of Dr. Campbell, of Christchurch, should also be instructed to inquire into the particulars of a letter read in this Council, and handed over to the late Colonial Secretary."—(Hon. Mr. Buckley.)

The Hon. Colonel WHITMORE said that on reference to *Hansard* he could find on record no part of the letter to which the honorable gentleman referred; and on reference to the department of which the late Colonial Secretary was in charge he found that the only knowledge there of this document was that a great search had been made for it in every direction, and that it could not be found. There was a rumour that this letter had in some way got into the hands of Dr. Campbell, but there was nothing at all known about it in the office, and he thought he was correct in saying that his honorable friend had so informed Dr. Campbell by letter. But this was only one of two subjects of complaint against Dr. Campbell; and the second one—which was, perhaps, the first in point of time—remained upon record, and it was thought necessary to order a Royal Commission to inquire into all the circumstances. With great trouble, a very impartial Royal Commission was collected at Christchurch. As soon as the Commission assembled there, this person left Christchurch and came up to Wellington. The members of the Commission telegraphed to say that, in consequence of his absence, they were obliged to disperse. The President of the Commission had to go to Dunedin, and the proceedings were being delayed accordingly. With regard to this particular letter, he thought the late Colonial Secretary would be able to corroborate what he said about there being absolutely nothing of it on record. In regard to the reading of it in the Council, he happened to be sitting next the Hon. Mr. Robinson when he commenced to read the letter, and from the very first, without having the smallest idea of the general purport of the complaint, he perceived that it was a very improper letter to read publicly when there were ladies in the gallery. For that reason he and others begged the honorable gentleman to desist. He did so, and in his (Colonel Whitmore's) presence handed it over to the Colonial Secretary. He had reason to believe that it was not made public at all—at least, on that occasion in the Council. So, when Dr. Campbell came up to Wellington and wished to have this letter inquired into, he (Colonel Whitmore) told him he could produce nothing of the kind—that there was no such document in the Colonial Secretary's office, and that, consequently, he could give no instructions about it. But, with regard to the Royal Commission which was sitting upon Dr. Campbell on an exceedingly grave and disgraceful charge, he told him that his request to have that matter fully sifted would be carried out by gentlemen in every way qualified for the task. He could give no order of reference in re-

gard to the letter, because it was not in existence.

The Hon. the SPEAKER said that perhaps the Council would allow him to state his recollection of what took place in the Council in regard to this letter. There were ladies in the gallery; the letter was of a character which rendered it undesirable to be read in the presence of ladies; and he suggested to the honorable gentleman that he should cease reading it, and hand it over to the Colonial Secretary, which he did.

The Hon. Captain FRASER thought Dr. Campbell had been very treacherously treated by some people in his part of the country. He was present when a gentleman who came up from Canterbury read this identical letter. A gentleman present asked if he could use the letter, and the gentleman who brought up the letter said, "You can make any use you please of it." Now that letter was a libel upon a gentleman whose position in his own country was not to be denied, and the effect of this cowardly, treacherous manner of proceeding might tend to blight his prospects and leave a lasting stain upon his character. As they had been the means somehow or other of spreading that libel, he thought that, if it was in their power, they should give Dr. Campbell an opportunity of dealing with that letter. However, he could not see how that was to be done.

The Hon. Dr. POLLEN said that the account given by the Hon. the Speaker of the occurrence which took place in the Council on the occasion referred to was quite accurate. A portion of the letter was read, when the Hon. Mr. Robinson, at the suggestion of the Speaker, desisted, and he then handed the note to him (Dr. Pollen). It was marked "Private,"—addressed to whom he could not at this moment recall. When he read the letter he attached it to the file of papers which he had on his table at the time, containing the application from the medical staff of the Christchurch Hospital for an inquiry into the circumstances disclosed at a trial which had taken place in Christchurch. What had become of those papers since then he could not tell. He attached the private note with a pin to the face of those papers, and he had no recollection since that of having seen them. A very careful search had been made in all the offices of the Government; he had made a very careful search himself in his own house; but not anywhere had he been able to find the note itself, or the original file of papers to which it was attached. However, sufficient of the contents had transpired, for it appeared that before the Hon. Mr. Robinson had received the letter it was seen by other persons, and, whether it was from the reading of the letter in the Council or from other sources, a knowledge of its contents certainly was had by persons out of doors, and those contents were stated, he was told, with more or less accuracy, in some public journals of the colony. Under those circumstances, he thought it fair, upon the application of Dr. Campbell, that, so far as it was possible to make an inquiry into the occurrences alleged to have taken place, an inquiry should be made, and he had promised that it should be made. That was all he knew of the matter.

The Hon. Mr. ROBINSON, in reply to his honorable friend who had brought this motion forward, would endeavour to explain about the letter. It was true that he read part of the letter, but he stopped, at the suggestion of the Hon. the Speaker, and handed it to the then Colonial Secretary, the letter being marked "Private." It was understood that it was his (Mr. Robinson's) property, and was to be given back to him; and his honorable friend Dr. Pollen had always told him that, if the letter were found, it would be handed back to him.

The Hon. Dr. POLLEN said the letter was given to him only that he might read it, and he had always intended to return it to the honorable gentleman.

The Hon. Mr. ROBINSON did not think there was any mistake about that. The Hon. Captain Fraser had stigmatized the conduct of the medical profession in Christchurch, and used very strong language regarding them which he (Mr. Robinson) did not think was justified. He would be one of the last to stand in the way of Dr. Campbell or any one else having a fair inquiry into charges made against him. It had been said by the Hon. Mr. Buckley that fair-play had not been given to Dr. Campbell. When the petition signed by all the visiting doctors of the Christchurch Hospital, except one who was absent, was forwarded to the Colonial Secretary, no reply was returned for weeks, if not for months. There was at that time, or at any rate there seemed to be, great objection to the papers being laid on the table of the Council, or to an inquiry being instituted. His honorable friend Colonel Brett espoused the cause of Dr. Campbell very warmly, and, when he offered all the opposition that he could offer to the papers being laid on the table of the Council and to an inquiry being made, he (Mr. Robinson) said he was surprised, and that, if he had been in the honorable gentleman's place, he would have urged an inquiry. Now, Dr. Campbell never asked for an inquiry from the Council until after he (Mr. Robinson) had moved that the papers should be produced, and an inquiry instituted into the charges made by the members of the medical staff of the Christchurch Hospital. With respect to the letter and the reference to Addington Gaol, he thought it would have been very desirable that the question should have been entered into. He had no doubt that, if the inquiry had been granted at the time when he asked for it, the charges that were made would have been substantiated. He had very good reason for believing that the witnesses who would have been brought forward to substantiate those charges had been removed—that the evidence would have been given by a class of people who could not properly be called regular settlers in the county, and who had probably left that part. If the inquiry had been entered into at the time, the charges might have been sustained; but a long time had elapsed, and Dr. Campbell was still the visiting doctor of the Addington Gaol, and saw all these people; and he had reason for saying that Dr. Campbell had already entered into this question with the people who came under

his surveillance at that institution. That would very materially tend to defeat the ends of justice. He was surprised that the question was now brought up about the letter. The Hon. Mr. Buckley must know that the Hon. Dr. Pollen had stated in his place that the letter and the papers had disappeared, and could nowhere be found: in fact, the honorable gentleman had privately said they must have been stolen; and they could not have been stolen except by somebody who was interested in them, as they were not worth sixpence to any one else. He had heard it stated by a good many people that the letter had found its way into the hands of the gentleman upon whom it reflected, and he had heard everything that was stated in that letter from more than twenty people in Christchurch, not of the medical profession. He had heard it said right and left that all these charges were true, and what a shame it was that a member of the medical profession, conducting himself in the way this gentleman was doing, should be retained upon the staff.

The Hon. Mr. BUCKLEY.—Have an inquiry.

The Hon. Mr. ROBINSON said one case was brought under the notice of the late Colonial Secretary, and very little attention was paid to it. The honorable gentleman would recollect that he (Mr. Robinson) endeavoured to have the papers produced and an inquiry instituted. He handed the honorable member the letter for his private information, on the understanding that it should be returned. He had no doubt that, without bringing that letter forward and implicating persons who ought not to be brought into the matter, the case of the Addington Gaol might very well have been investigated at that time; but now he did not see how it was possible to produce the letter, and, if it were produced, it was his private property—it was marked "Private." If it were not considered his property, what position would honorable members be in with regard to the occupant of the Government bench, if they handed the honorable gentleman a letter, for his own information, marked "Private," and were told afterwards that it had become public property and could not be given back? They would be very suspicious, and would withhold information from whatever source, and whatever advantage it might be calculated to confer upon the administration of the affairs of the country.

The Hon. Colonel BRETT said that it was not his intention to have spoken on this subject, as he regarded it as one of a very delicate nature; but, having already taken action in the matter, he wished everything he did to be quite clear. The Hon. Mr. Robinson had said that he (Colonel Brett) desired to suppress the letter for a certain purpose.

The Hon. Mr. ROBINSON begged the honorable gentleman's pardon: he did not say so. He referred to the time when he asked for the production of the papers. He was alluding to some remarks made by the Hon. Mr. Buckley to the effect that Dr. Campbell had been harshly treated owing to the inquiry not having been granted, and he wanted to explain to the House that he had done all in his power to get this inquiry

brought about, and that it was the friends of Dr. Campbell, including the Hon. Colonel Brett, who offered opposition to it.

The Hon. Colonel BRETT said he did object to the letter being read, and he had two reasons for doing so. One was that the letter contained an *ex parte* statement which he thought the Council should not listen to, and the other was that, having heard the letter read on the same day, or the day before it was produced in the Council, he found that it was of a libellous nature. The author of that letter was a personal friend of his, and his private doctor. Dr. Campbell he knew very little about. It was quite true that he attended a portion of his (Colonel Brett's) family; but he had no further interest in that gentleman whatever, and had only acted as an honorable member of that Council in his desire to see justice done to a man against whom a one-sided charge was brought which appeared to be unfair and unjust. He would make no further remarks, except to say that Dr. Campbell waited upon him on the previous day, and asked him to move in the matter, which he declined to do, on the ground that it might militate against his friend Dr. Neville. At the same time, he could not help saying that he considered it would be a gross act of injustice to Dr. Campbell if the charges made against him in the letter were not fully and thoroughly inquired into. There was no doubt that, although the letter had been lost, its substance could very easily be obtained. His honorable friend had said that he believed the letter had got into the hands of Dr. Campbell. Dr. Campbell to the present hour had not seen the letter. He told him (Colonel Brett) only yesterday that he did not actually know the contents of the letter, and therefore it could not have gone into his hands. His honorable friend had, he thought, made a mistake, and the letter might have gone back to Dr. Neville. Having made this explanation, he would rather not say anything more on the matter.

The Hon. Dr. POLLEN hoped he might be allowed to say a few words in explanation of an error into which the Hon. Mr. Robinson had unconsciously fallen. The honorable gentleman referred to an inquiry having been insisted upon by himself and by the Council. What was insisted upon—in the first instance, at least—was not an inquiry, but that Dr. Campbell should be dismissed upon the evidence that had been taken at the trial. It was he (Dr. Pollen) who insisted upon the inquiry, and refused to take the action which it appeared the disposition of some honorable members to urge him to take until an inquiry had been held. That inquiry had been delayed, in the first instance, by the loss of the papers, and, in the second place, by the absence of Dr. Skae, who, it was thought, by himself (Dr. Pollen) and by some other gentlemen connected with Canterbury whom he consulted on the subject, and by whose advice he had been commonly guided in all matters relating to the Canterbury District, should be appointed a Commissioner to conduct the investigation.

Hon. Mr. Robinson

The Hon. Mr. HALL said he would not have troubled the Council with any remarks if it had not been for what had just fallen from the Hon. Dr. Pollen. Having had a little to do with this subject, he wished to say that, so far as he was aware, the only application made to the late Government was for an inquiry, although, of course, he could not say that no other application had been made to the Hon. Dr. Pollen. The motion in the Council also, he thought, was that there should be an inquiry. He waited with the Hon. Mr. Robinson on the late Colonial Secretary, and he was sure that honorable gentleman would bear him out that their only application then was for an inquiry, and that, pending that inquiry, Dr. Campbell should not continue to officiate at the hospital. That was fair, and his honorable friend admitted the fairness of the request; and eventually that course was adopted. He did not know, of course, whether any applications were made for the dismissal of Dr. Campbell. All he could say was, that if there was any application of that kind made it was an exceedingly improper one. He would draw the attention of the mover of the resolution to the fact that practically it was one which it was almost impossible to give effect to after what they had heard. They were asked to express an opinion that an inquiry should be made into the particulars of a letter which had been read in the Council. They were, however, told that the letter was not to be found, and therefore he did not see how they were to get at the particulars without calling every member of the Council who heard the letter read or so much of it as was read. He supposed that what his honorable friend meant to advocate was an inquiry into the circumstances referred to in the letter; and, if so, perhaps it would be better to alter the resolution to that effect. He was bound to say that, in the course of this discussion, in which he had taken part once or twice, he had not heard any statement made condemning the character of Dr. Campbell. He himself had said, "Here is a very grave charge; it has caused very strong feeling in the part of the country from which I come, and we ought to have an inquiry." He had carefully abstained from expressing any opinion as to whether Dr. Campbell was right or wrong, and must express his regret that the Hon. Captain Fraser had not adopted a similar course, but had spoken of Dr. Campbell as a very much aggrieved and wronged individual. They had no evidence before them to show whether that was so or not, and he thought that his honorable friend would have taken a better course if he had abstained from pronouncing an opinion on the subject until an inquiry had been made.

The Hon. Captain FRASER desired, as a personal explanation, to say that what he meant was that Dr. Campbell was a wronged individual, because a medical man in Christchurch wrote a letter to another medical man, who told a friend that he was at liberty to make what use he pleased of the letter. That act, he said again, was a most treacherous act, both on the part of the medical man who wrote the letter and on

that of the medical man who gave another gentleman permission to read it. He repeated again that Dr. Campbell had been most treacherously used. He knew nothing of Dr. Campbell, and had never met him until the previous afternoon.

The Hon. Mr. PEACOCK hoped that the request of the Hon. Mr. Buckley would be granted, and that the inquiry would be extended to the charge contained in the letter. He had not heard the letter read, or any portion of it, and therefore knew very little about the matter; but it struck him that the original offence charged against Dr. Campbell was not so much an offence against the public as that referred to in the letter. Therefore, if the Government thought it worth while to institute an inquiry in the first case, where the public were not so much concerned, it was still more desirable that they should inquire into a matter affecting one of the public institutions of the colony.

The Hon. Mr. BUCKLEY did not understand from the Colonial Secretary whether he objected to the motion or not, but he hoped that, if the honorable gentleman had intended to oppose it, what had transpired since had led him to change his mind, for enough had been said, he thought, to show that there was no other course open than to inquire into the charge made against Dr. Campbell with respect to this public institution.

The Hon. Colonel WHITMORE said he was not aware of any charge. The honorable gentleman seemed to have forgotten that there had been no charge made, and that there was really nothing at all before them. Consequently he did not see how effect could be given to the wishes of the honorable gentleman.

The Hon. Mr. BUCKLEY said that, although the letter had so mysteriously disappeared, still it was well known both to the public and to honorable members that the charges it contained had been commented upon in the *Christchurch papers*—charges against Dr. Campbell in connection with his duties as Visiting Doctor of the Addington Gaol, an institution under the control of the Government. Did he understand the Colonial Secretary to oppose the motion in its present form?

The Hon. Colonel WHITMORE said that there was nothing at all to work upon.

The Hon. Mr. BUCKLEY would, then, ask leave of the Council to amend the motion.

The Hon. Colonel WHITMORE said there was plenty of time. It would take a week at least before the Commission could meet again, in consequence of Dr. Campbell having gone away directly after they met. If the honorable gentleman would put his motion on the Order Paper for next day, there might, perhaps, be an opportunity of the parties conferring.

The Hon. Mr. BUCKLEY, in reference to the honorable gentleman's observation about Dr. Campbell coming to Wellington in such haste, thought some allowance should be made for a gentleman placed in his position. When the Commission went to Christchurch and commenced its inquiry it was found that perhaps the most important charge was not to be touched, and therefore it was not surprising that Dr.

Campbell should immediately come to headquarters to endeavour to get this other charge against him included in the inquiry. The Hon. Mr. Robinson had said that Dr. Campbell never asked for an inquiry. In this respect Dr. Campbell certainly had one grievance, for his professional brethren connected with the Hospital instituted an inquiry on their own account, took evidence, and condemned him, and sent up the evidence, with their petition, to the Government, without having given him any notice whatever. However, he would ask leave to amend his motion so that it would read as follows: "That, in the opinion of this Council, it is desirable that the Commission appointed to inquire into the case of Dr. Campbell, of Christchurch, should also be instructed to inquire into his conduct in connection with the gaol at Addington."

Leave given, and motion amended.

The Hon. Colonel WHITMORE was of opinion that it would be very difficult to give effect to this motion. The Royal Commission would have to send its commission back, and a new one would have to be signed, which seemed very undesirable. The members of the Commission were gentlemen who had to be taken to Christchurch from a distance. One of them was Dr. Skae, the head of the Lunatic Department of the colony, whose time was very valuable, and already there had been a great deal of time lost on account of Dr. Campbell's unwillingness to appear before the Commission upon the very serious charge of extorting a cheque from a dying man. He had intimated his willingness to appear at some future time, and next week had been arranged. Now it was proposed to put it off for another week, and the Inspector of Lunatic Asylums would be away from his duty for a week or a fortnight more. If those honorable gentlemen who seemed to take an interest in this matter would produce any definite charge, it might be sufficient, perhaps, for the Resident Magistrate of Christchurch or some other Resident Magistrate to go into a matter so trivial as this, which seemed to be one of an entirely local character, depending purely on the proof of certain facts, without having any great bearing upon law. A very good Commission could be obtained in Christchurch, and new members could be appointed. If, therefore, after the report of the present Commission had been sent in, Dr. Campbell was still desirous to have any more of his conduct inquired into, another Commission could be appointed to inquire into this matter of the Addington Gaol as soon as a proper charge was made. At present there was nothing. It might be true that some persons had put something in the newspapers, but nothing definite had been put forward. He sat next the Hon. Mr. Robinson when he was reading the letter, and although he saw, after the first line was read, that the matters referred to were not such as it would be proper to read at the time, still he had no idea what the distinct charge was, and he believed that was the impression left on the minds of nine out of ten members of the Council. Consequently he had nothing in his mind that

*Hon. Mr. Buckley*

would enable him to judge whether the newspaper paragraph was correct or not. What, therefore, had a Commission to inquire into? If the honorable gentleman, who had local knowledge, and who had the means of bringing forward something definite, liked to furnish such information to the Colonial Secretary's Department as would enable that department to cause a proper inquiry to be made, he would venture to promise that honorable gentleman that a searching inquiry by very competent people, accustomed to take evidence, would be instituted, and a Royal Commission issued. But where there had only been a letter partly read in the Council, and which, from the few words that were read, no honorable gentleman could possibly have understood, he could not see how he could proceed in the matter. There was another question involved: This subject of letters read in the Council was one which some honorable gentlemen better skilled than he was in questions of privilege ought to consider, in order to ascertain whether they were not setting a bad precedent by allowing their action in the Council to be impeached in this manner. There might be cases in which it would be very inconvenient to allow it. However, in this case, nothing appeared to be more regretted by the Hon. Mr. Robinson than that he had not had an opportunity of giving publicity to the letter. He wished much to have it published, and to have an inquiry. At the time, he knew that the Hon. Mr. Robinson troubled the late Colonial Secretary nearly every day with questions as to what he was going to do. He was so extremely anxious and displayed so much impulsiveness that it was evident his heart was in the matter, and he wanted an inquiry. He would certainly be very willing to help the Hon. Mr. Buckley in any way to make the inquiry which the Hon. Mr. Robinson wanted, at an early period, if it was desired. But it was not. He declined to take a newspaper report, published here or elsewhere, of what took place, which was directly contrary to his own recollection, and to the evidence of every honorable gentleman who was present.

The Hon. Mr. BUCKLEY said that, if an inquiry were so much required on a former occasion, he did not see why an inquiry should not take place now. Of course, if there was any attempt to burke inquiry, the only inference would be that the charges made were not correct, and that the persons who were brought into connection with them would rather have nothing to do with them now. He was sorry to hear a portion of the remarks of the Colonial Secretary. He thought that, in saying a most disgraceful charge had been brought against Dr. Campbell, the honorable gentleman was to a certain extent prejudging the case. The honorable gentleman said that, as he (Mr. Buckley) took an interest in the case, he should himself make the charge against Dr. Campbell. But he was not the prosecutor in the case. He had only brought forward this motion for the purpose of giving fair-play to Dr. Campbell. He knew nothing of Dr. Campbell except that he had been connected with the Christchurch Hospital for a number of years, and he had never heard

anything against him. He knew also that on one occasion the Provincial Government of Canterbury were very much indebted to Dr. Campbell. At a time when the Government could get no one to attend to the Hospital, when typhoid fever was raging there, Dr. Campbell gave up his practice and went to live there, when no other medical man in Christchurch could be obtained to do it. He had not forgotten that. He only wished to get fair-play for Dr. Campbell. If this important charge were not inquired into, after it had been published and commented upon in the local papers, whatever might be the result of the inquiries of the Commission, an injurious impression might prevail against Dr. Campbell in reference to his duties in connection with the Addington Gaol.

Motion as amended agreed to.

#### WASTE LANDS.

The Hon. Colonel KENNY, in moving the motion standing in his name, said that it would be evident that the particulars asked for were very desirable for public information, and would also be useful in the course of future legislation. He held in his hand a variety of returns, very nearly of the same nature, which had been prepared at the instance of the Legislature for a period just anterior to that for which he had given notice. In these days of wholesale endowments he thought it was particularly desirable that the returns already prepared should be supplemented by the return which he now asked for, and which was intended to apply from the date on which these returns were completed, up to the 31st December, 1877—that was, during the last two sessions.

Motion made, and question put, "That the Government be requested to direct that a return be prepared showing—(1.) The area and value of the waste lands of the Crown in each provincial district of the colony; (2.) The quantity of land, and the value thereof, set aside as an endowment for each public purpose since the 1st July, 1876, till the 31st December, 1877. (3.) Such return to specify the nature of the endowment, its estimated money value, and the Act under which it has been made."—(*Hon. Colonel Kenny.*)

Motion agreed to.

#### IMPREST SUPPLY BILL No. 7.

This Bill was read a first, second, and third time.

#### DISTRICT RAILWAYS BILL.

This Bill was further considered in Committee.

Clause 76.—Guarantee of interest on cost of railway by a special rate and a charge on revenue of colony.

The Hon. Colonel WHITMORE moved the insertion of the following subsection: "The guarantee created by this Act shall only subsist for a period of fifteen years from the date when the railway is open for traffic, and shall only subsist so long as the company complies with the provisions of this Act."

The Hon. Captain FRASER moved, as an amendment, to omit the word "fifteen," for the purpose of substituting the word "ten."

Question put, "That the word 'ten' be substituted for the word 'fifteen';" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	5
Noes	...	...	...	...	13
Majority against...					8

#### AYES.

Captain Baillie, Mr. Menzies,  
Colonel Brett, Mr. Peacock,  
Captain Fraser,

#### NOES.

Sir F. Dillon Bell, Mr. Pharazyn,  
Mr. Buckley, Dr. Pollen,  
Mr. Chamberlin, Mr. Robinson,  
Mr. Hall, Mr. Russell,  
Mr. Hart, Colonel Whitmore,  
Mr. Holmes, Mr. Williamson,  
Mr. Miller,

The amendment was consequently negatived, and the subsection as proposed agreed to.

Clause 85.—Waste lands open for sale may be rated.

The Hon. Colonel WHITMORE moved, That this clause be erased from the Bill.

Question put, "That the clause proposed to be omitted stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	8
Noes	...	...	...	...	11
Majority against...					8

#### AYES.

Mr. Buckley, Mr. Peacock,  
Captain Fraser, Mr. Pharazyn,  
Mr. Holmes, Dr. Pollen,  
Mr. Paterson, Mr. Williamson.

#### NOES.

Captain Baillie, Mr. Menzies,  
Sir F. Dillon Bell, Mr. Miller,  
Colonel Brett, Mr. Robinson,  
Mr. Chamberlin, Mr. Russell,  
Mr. Hall, Colonel Whitmore,  
Mr. Hart,

The motion was consequently carried, and the clause struck out.

Progress was reported, and leave obtained to sit again.

#### FISH PROTECTION BILL.

This Bill was considered in Committee.

The Hon. Captain FRASER moved the following new clause: "Nothing in this Act shall apply to persons of the Native race capturing fish with spears in any estuary."

Question put, "That the proposed clause stand clause 8 of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	5
Noes	...	...	...	...	14
Majority against...					9

## AYES.

Colonel Brett,  
Captain Fraser,  
Mr. Hart,

Mr. Menzies,  
Sir J. L. C. Richardson.

## NOES.

Captain Baillie,  
Sir F. Dillon Bell,  
Mr. Buckley,  
Mr. Chamberlin,  
Mr. Hall,  
Mr. Holmes,  
Mr. Miller,

Mr. Paterson,  
Mr. Peacock,  
Mr. Pharazyn,  
Dr. Pollen,  
Mr. Robinson,  
Mr. Russell,  
Colonel Whitmore.

The motion was consequently negatived.

The Bill was reported with amendments, and the third reading fixed for next sitting day.

The Council adjourned at a quarter-past eleven o'clock p.m.

## HOUSE OF REPRESENTATIVES.

Thursday, 22nd November, 1877.

First Readings—Jackson's Bay—Opao Island—Mataura Paper-mill—Coal—Imprest Supply Bill No. 7—Financial Statement.

Mr. SPEAKER took the chair at half-past two o'clock.

## PRAYERS.

## FIRST READINGS.

Waikato Harbour Bill, Gisborne Harbour Bill.

## JACKSON'S BAY.

Mr. WOOLCOCK asked the Government, If it is their intention to appoint a Royal Commission during the recess to inquire into and report on the Jackson's Bay Special Settlement? He was aware that certain correspondence relating to this subject had taken place during the present session, but he was not aware that any definite conclusion had been come to. It was, however, highly desirable, in the interests of the settlers, that a full and disinterested report of the present condition of the settlement should be obtained.

Sir G. GREY said a similar question had already been put by the honorable member for Hokitika (Mr. Barff), when he (Sir G. Grey) informed the House that a Commission would be appointed during the recess.

## OPAO ISLAND.

Mr. TAWITI asked the Government, If the Island of Opao, on which a lighthouse is being built, has been purchased from the Natives? He had received a letter stating that the Government had taken the island in order to erect a lighthouse upon it, and his object was to ascertain who gave the necessary assent to the erection of the lighthouse, as the owners of the land said they had not been paid for it.

Mr. SHEEHAN said the Island of Opao at the North Cape was included in one of the old land purchases, the title having been relinquished by the Rev. Richard Taylor. The land belonged to a class of land termed "surplus lands," and the Crown claimed to be the owner of it. He could

*Hon. Captain Fraser*

give the honorable gentleman no further information, beyond saying that the question of surplus lands was one upon which some action would have to be taken during the recess.

## MATAURA PAPER-MILL.

Mr. W. WOOD asked the Minister for Lands, Whether he is aware that the Waste Lands Board contemplate offering for sale the site of the Mataura Paper-mill; and whether the Government has consented to the proposed sale? He put the question on the Paper in consequence of seeing it stated in a newspaper that the Waste Lands Board contemplated selling the site of the mill. He wished to know whether the Government were aware of such an intention.

Mr. MACANDREW said the Government were not aware of any such intention on the part of the Waste Lands Board, and they had not, therefore, agreed to it.

## COAL.

Mr. KENNEDY asked the Minister for Public Works, If he will lay before this House a return showing the quantity of coal supplied to the Government Buildings in Wellington during the six months ending the 30th September, 1876, and the like period of 1877; the rate per ton paid for the same; and by whom supplied?

Mr. MACANDREW said the Government would not object to lay the return on the table.

## IMPREST SUPPLY BILL No. 7.

This Bill was read a first, second, and third time.

## FINANCIAL STATEMENT.

## ADJOURNED DEBATE.

Mr. ROLLESTON.—I do not propose to address the House upon the Financial Statement at the present time, but I think the occasion is one on which we may fairly look to some member of the Government stating to us when we may expect to have the Bills embodying the proposals made in the Statement of the Colonial Treasurer. That Statement as it stands is inconsistent in itself, and the proposals are so extraordinary and incredible, as coming from some honorable members on those benches, that it is difficult to fathom their real intentions or to debate the questions until we have the details of the proposals before us.

Mr. SHEEHAN.—The necessary Bills are on the stocks, but we cannot complete them until we have the opinion of the House on our proposals.

Mr. STEVENS.—Sir, I should be sorry on an occasion of this kind, which one may regard as of the greatest importance to the colony, to let it pass without expressing my opinions, however inadequately, on the proposals which have been laid before us. I am sorry we have not got any definite motion before us, and I say this without wishing to throw any blame upon the Government or any one else for not putting a definite resolution at the end of the Financial Statement. I regret it, however, because it would give honorable members an opportunity of recording their votes at the outset upon the very important ques-

tion of making the Land Fund colonial revenue. It appears to me to be the more desirable, because we have had this question decided already this session on a direct proposition. I propose to make a few remarks on the financial position in which we have been for the last year or two. I shall not crowd what I have to say with an unnecessary mass of figures, but shall place my views in the simplest manner I can, laying before the House the appearance of matters as they present themselves to me; and I shall do so without importing into any of my remarks, I hope, any spirit of party, which I think should, as far as possible, be absent from the discussion of a subject of this kind. I do not pretend for one moment to say that I think any of the proposals which we have adopted for the last year or two—or even going further back—have been altogether satisfactory to any one. It appears to me that what we have been doing for some time past has been endeavouring to escape the day of reckoning which, I think, we must all have seen coming before many years. What was our position last year? We find, on reading the Financial Statement then made by the honorable member for Egmont, that it was absolutely necessary that a very large sum of money should be got from somewhere other than the Consolidated Fund; and we therefore placed upon the Land Fund of the colony an immense sum of money—the amount, of course, is perfectly familiar to honorable members. A large number of services were placed upon that fund, chiefly because the consolidated revenue was unable to bear them; and the result was that this House deliberately separated last session with a known and acknowledged deficiency on that very account of £145,000, which subsequently developed into a deficiency of £150,000. We authorized the issue of Treasury bills to that amount, and then we went home with the conviction that, out of the nine provincial districts, there would be no less than six which could not keep their land charges square. I say that the House did that deliberately. It knew perfectly well what it was doing. The matter was placed before it in the clearest light. I, for one, urged upon the House the position into which it had got, and took as an illustration that very fact, that there were six out of the nine provincial districts which could not keep their Land Fund charges square. But what was the result? We find that, instead of six defaulters, there were seven; one provincial district which was expected to equalize its account failed to do so, consequently there became seven defaulters, and the Consolidated Fund had to find £53,000 in addition to the £150,000. Then we had the proposal of the honorable member for Egmont this year, modifying to a considerable extent the proposals of last year: again we had the same kind of proposition, with some modification, that certain charges should be placed upon the Land Fund. When that proposal came down it seemed that, just as we separated last year with the knowledge that there would be six districts unable to equalize their charges and revenue, so there are some of us who think that this year the number would again develop itself into seven—who do

not believe that £120,000 will be realized from the Land Fund of Auckland, although there are others who think it will. We have, therefore, done nothing more this year than the honorable member for Egmont did last year towards arranging for a different principle of equalizing the account. That is to say, we had last year to borrow £150,000 in aid of the Land Fund to meet these charges, and we had to subscribe out of the Consolidated Fund £53,000 to meet the excessive deficiency. And this year we have the same system, but modified to this extent: that, subject to some decrease, there would be £80,000 to £100,000 or so deficiency on the land charges account. Sir, I have never concealed from myself, nor has anybody else, that that is not a satisfactory state of affairs, and never can be made satisfactory under any conceivable circumstances. I shall now proceed further with the subject, with the view of seeing how far the necessity exists for the proposals which have been laid before us by the present Colonial Treasurer. Before doing so, however, I should like to point out that, although last year we adopted a plan of localizing a very large amount of expenditure on Land Fund, and although the gold fields revenue had been part of the Land Fund since 1858, by way of making our arrangements satisfactory we deliberately threw away £72,000 which was expected to arise from that source—we deliberately impoverished our Land Fund by £72,000, and when we gave that away we did so knowingly. I should now like to say a word or two in regard to the policy which has been so much talked about in this House—the issuing of Treasury bills. I may say that there is in certain quarters a large amount of confusion in regard to this point. I can perfectly understand that the issue of Treasury bills may be at times good financial policy, if they be issued in anticipation of loan; but I presume that that which is in the minds of those who object to the issue of Treasury bills is that they object to their being issued in aid of revenue. There is nothing very extraordinary in that objection. Everybody has the same objection. It is like issuing a promissory note and borrowing money to keep your household going. Let us now examine the necessity for further aid to the colonial revenue. I understand from the Financial Statement of the honorable member for Egmont that he estimated that, by taking the sum of £167,000 from Canterbury and Otago—£58,000 from Canterbury, and £109,000 in anticipation of the land revenue of Otago by means of Treasury bills—he would have a working balance of about £102,000 on the current year. I may say that the soundness of that expectation does not appear to be impugned by the present Colonial Treasurer, for I find that his totals are the same, although there are differences in the details, which I will state. One of them is this: that the present Colonial Treasurer claims that £64,000 of the liabilities of last year should be included in the calculations for the present year and should be treated as liabilities of this year, whilst the honorable member for Egmont claims that that sum is absolutely disposed of by the balance of £148,000 with which



the present Colonial Treasurer agrees that he will begin the present year. That is the difference between them, to start with. Now, after a close investigation of the matter, I have come to the conclusion that the honorable member for Egmont is correct; but I would say that it is very easy for honorable members to make mistakes in these things unless they study the question very closely, and I have long felt that questions of this kind—questions of past transactions—would be most beneficially dealt with if referred to the Public Accounts Committee, who would be able to examine into the questions carefully, and could present the results of their examination in a simple form to the House. The honorable member for Egmont started, or proposed to start, the current financial year with a working balance of £102,000, which would meet extra charges thrown upon the Treasury by sums placed on the Supplementary Estimates, and any alterations or modifications insisted upon by the House. He started upon that as a working balance: that is, he estimated, if his proposals were accepted in their entirety and no fresh charges placed on the revenue, he would have at the end of the year a balance of £102,000, taking £58,000 from the Canterbury Land Fund and £109,000 from Otago. Of course the alterations in the Education Bill, if they became law, would make a difference of £30,000. The disappearance of the capitation fees would make that amount of difference. That would have to be allowed for. However, the difference between the two Colonial Treasurers is £64,000, because the present Colonial Treasurer included in his £112,910 liabilities £64,000 as liabilities of last year. Generally speaking, we come to this: that there would be a deficit, allowing for the amounts mentioned and adding probable Supplementary Estimates, and Supplementary Estimates on Land Fund account, which have to be made good from somewhere or another, of £200,000—that is, in round numbers. I understand that this view was agreed to by the honorable member for Egmont. Well, now, how have we arrived at this state—how have we recently come to this position? Last year it was estimated that we might probably come clear in our finance in later years by the increase in the profit arising from railways coming into working, which, instead of giving £87,000 profit, as they did last year, this year are estimated to yield £170,000. And no doubt, had things remained in the position in which they were, we might have come out well. But what has been done? On the Estimates that were presented to us this year, it was found necessary to place nearly the whole cost of education and some other things, which amount to a large sum, upon the consolidated revenue, instead of their being provided for, as heretofore, out of the Land Fund, which, of course, very largely alters the position of affairs. Now I wish to state what appears to me to have been the intention of the late Government in proposing to take the sum of £167,000 from these two provinces. I believe that the intention of the honorable member for Egmont has been, all throughout, to keep the promises which were

made, that the localization of the Land Fund should be preserved absolutely, so far as it was possible; and, had the finance worked out as was anticipated—although perhaps the Government and the country were too sanguine—it would have been very different. I believe that the late Government had the fullest intention to take as little as they possibly could in order to keep things clear; but that they should meet the House without equalizing the ordinary finance was obviously impossible. Therefore I believe that was the object and intention of the honorable member for Egmont in proposing to take a certain sum out of the Land Fund of these two provinces. I do not pretend to say that it was a satisfactory arrangement. I believe that a fairer and more satisfactory way of meeting the difficulty would have been to review what had been done in 1870 in regard to a moiety of the stamp duty. It was regarded at that time as a sound principle that the interest on loans in respect of railways in course of construction should be capitalized. I think that the honorable member for Wanganui will admit that that was a cardinal feature of the scheme brought down by his late colleague, Sir Julius Vogel; and nearly all public men and journals approved it. I may not agree with that principle myself: still it was accepted; but what has been done? A moiety of the stamp duties has been absorbed to pay interest on loan. We have never yet ceased to pay interest on loans, during the construction of the railways, out of the ordinary revenue of the colony. We have never capitalized our interest, and if that sum had been used as an aid to revenue there would have been a great deal to say in justification of it, although a great deal might be said in support of the contrary view. Still, when there was a crisis which necessitated one of two things being done, either recrediting the stamp duties to revenue, or taking exceptional sums of money out of the land revenue, the former would have been excusable and preferable. However, that is a proposal which I have had all to myself; neither the late Government nor the present occupants of Ministerial benches have made proposals in that direction. Well, Sir, what does the Hon. the Colonial Treasurer propose to do? He proposes to go a great deal further than the honorable member for Egmont. Instead of taking £58,000 from Canterbury, and £109,000 from Otago, he proposes to take, in a comprehensive and free manner, the whole that those provinces have got, less a moderate percentage. I must say that there is a considerable contrast between the two propositions, and the present does not very favourably compare with the past; and I have yet to learn that they will be accepted as satisfactory by the localities most affected. What I think ought to have been done is this: The honorable gentleman ought to have come down and said, "Such-and-such are our proposals; the alternative is increased taxation," and have let the question go to the country. That would have been a fair issue to place before the country, and it would have been more statesmanlike to have let the country consider the matter. He should have

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made temporary provision in the direction which I have indicated, and should not have grasped all the available assets before the country had had time to fully consider the matter. The more strongly do I think so, because the necessity which the honorable member pleads, or attempts to establish, appears to be based upon insufficient grounds. The honorable gentleman talks of provincial liabilities, and treats them as if they were annually recurring, and necessitated sweeping up the whole of the resources of the colony. I think there are few honorable members in the House who are of opinion that such a necessity exists, or that his action should be attempted to be justified upon the strength of such a basis as that. Let me examine these provincial liabilities. I do not wish to weary the House, but the point is worthy of consideration. Amongst the things which are supposed to be annually recurring there are these: Let us commence at Auckland. Here we find, "Compensation to Provincial Officers," a large sum; "Purchase of Onehunga Slaughterhouse,"—

Mr. DIGNAN.—What is the amount of compensation?

Mr. STEVENS.—£880. I merely mention that as one item of many from different parts of the colony, which total up a large sum. Then, in Taranaki there is an overdraft, but there will not be an overdraft next year—a provincial overdraft, at any rate. There are also several bridges, and other works of that character, amounting to over £6,000. In Wellington there are several large sums, one of which is a grant to the Emigrant Aid Corporation, and another for arrears of surveys. Well, if these arrears of surveys are paid up, I apprehend that that item will be disposed of, and will not be a recurring provincial liability. Another is repayment for land, £100,000; and so you go on through them all. I will take some of the Canterbury items. Here is a repayment on Public Works Account amounting to £15,789. Is that a recurring liability? Then, extension and repairs, £4,000; a bridge, £7,000; and purchase of a store, £3,700. Then there are road diversions, and a variety of other things, which will not come into an annually recurring list of engagements; and the same in every provincial district. That being so, I hold that it is not proper to put these things down as part of the ordinary daily expenditure of the country, and more especially when you base upon that statement the necessity for an immediate seizure of the land revenue all over the country. I admit that many reasons may be urged in favour of this proposal. There is no doubt that it may tend to simplify the finances, and there are many other much greater reasons which might be urged in its favour; but the people in Canterbury and Otago should certainly have had an opportunity of considering the very extreme step which it is now proposed to take. Although I do not care to express any unreasonable local feeling, I really cannot help saying that it would have been much more satisfactory to have elicited an expression of public feeling before finally adopting this proposal. I should like

to make a few remarks upon the overdraft of £300,000 which the honorable gentleman seems also to consider a public liability. I submit that it is not a liability at all. It is simply and solely an anticipation of the revenue of the year, and, considering that the honorable gentleman accepts the figures of ordinary revenue and of ordinary expenditure of the late Colonial Treasurer, it is going a little too far to include that sum in the public liabilities. Now I think the honorable gentleman should have done this: When he made up his mind to bring down this policy—which, I admit, is a policy, for there is no disputing that it is a very considerable change, the last of which will not be seen to-day—he should have brought it down on a clear and comprehensive plan; but, to begin with, he leaves out the large centres of population from any participation in the Land Fund, by which a very serious error has been committed. Whether rich or poor in endowments, they have been absolutely left out of this arrangement, which in itself is apparently meant to be final and complete. I have no doubt that there are other members from my part of the country who will express very much better than I can what the effect will be upon their particular districts; but I should like, before I conclude this part of my speech, to say this: that when I consider the immense rapidity of sale of land and the large proceeds arising from the sale of land in that part of the country, and when I consider its very small liabilities as compared with other portions of New Zealand, I must say that I think this proposal presses with extreme severity upon it. For my part, I should like to have seen some means adopted to save that part of the country from so serious a loss. If the proposal had been delayed for a couple of years, and time allowed to localize the land in some way, the matter would have been less hard than it is now. The value of the future asset under that policy, and its effect as a policy, would have been of equal value to the Colonial Treasurer as a future basis of finance. He might have looked forward to the Land Fund becoming colonial revenue; he might have accustomed the public to the idea by giving them time to consider whether the circumstances of the colony required such a step, or whether they would prefer to see the burdens fall upon some other source of revenue through direct taxation. And, Sir, on the question of provincial liabilities let me say this: that the first thing the Government should have done was to localize them during the current six months in which they propose to leave things as they have been hitherto; they should have localized these provincial liabilities as far as possible upon the incoming land revenue. I look upon the course proposed not only as an injustice to the Provincial District of Canterbury, but as a serious financial mistake. Sir, I have heard of one proposition which the honorable gentlemen might have adopted with advantage. He might have said, "I will take so much per acre of all the land sold all round the colony, and I will recommend that an increased price should be paid for the land in the different localities for local benefit." That was a pro-

posal which was well worthy of his consideration. It would have enabled the people to pass through this change—if it must be made—with far less bitterness, and with far less danger of a want of success, than it is likely to meet with for some time. I am afraid there has been a strong desire to seize what there is to be got in those parts of the country which have a Land Fund, for fear it should be too late. But there would have been greater speed if there had not been so much haste. We shall hear a great deal more about this in twelve months' time, and I think the honorable gentleman would better have consulted his own position had he made the proposal I have mentioned, and given the public time to consider the change. I wish now to make a few remarks upon the classification of the land. There is, no doubt, much to be said upon it in many respects, but I fear that, unless the classification is made much more carefully than I think it will be, it will prove a shadow without a reality. Those who sell their lands at £2 an acre will remain pretty much in the same position, and those who sell at half-a-crown an acre will remain in theirs. We shall, however, be better able to see the effect when the Bill is introduced which is to carry out this change. A great deal has been said as to the policy of borrowing the million from the banks last year. I quite agree with those who say that it would be infinitely better to borrow from one place; but what is the position of the matter, and who is responsible for what was done? Did the House stay its hand from further expenditure last year when it was told that the means were not available, and that, after we had obtained that million and a quarter, it would be dangerous to go soon to London again for money? It knew perfectly well that we should have to borrow or to stop expenditure; everybody knew it; it was notorious; and yet the House persisted in involving itself in responsibilities without providing the means to meet them. The effect of this continuous injudicious borrowing upon the public credit is most remarkable. It has fallen steadily ever since the period of the last great issue of debentures. Every attempt that has been made to raise money has shown that we cannot get it now at the price at which we got it formerly. At one time we could borrow at 4½ per cent., as may be seen by referring to the records of the House. Last year we had the greatest difficulty in borrowing at 5 per cent.; and all I can say is this: that, if the representatives of the public persist in borrowing large sums for the sake of entering upon what are called reproductive works without regard to our financial condition, our credit must fall. I do not know that we are going to improve this year. I do not know that we are going to exhibit more caution, or that we are going to do anything that will prevent our credit falling still further. On the contrary, under the Government proposals a very serious risk exists of a very much worse state of things arising than has yet existed. But, Sir, it is of no use for any honorable gentleman to protest against this. I believe that when, in 1870, we began to spend money on public works, the country first tasted blood, and, as its

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thirst is not satiated yet, I believe that our finances will yet be in a very much worse state than they have ever before been, unless we resolutely determine to cease borrowing to the extent we have been doing hitherto. I do not pretend to be able to say who is to blame for this, but I question whether any of us will have the resolution to put a stop to it. We shall see when the exact proposals for borrowing this year, and the necessities for it, are made known. I do not wish to take up the time of the House, but I have a word or two to say regarding the inscription of stock. I understood the honorable gentleman at the head of the Government to say that the inscription of stock was a matter of very little importance; but in my opinion it is a most important matter. Unless our stock is inscribed we shall never be able to attract to our loans English trust funds. I miss from the Statement of the Colonial Treasurer any reference to the conversion of bonds in such a manner that we might issue them to those who might be willing to take other bonds without a sinking fund as I proposed last year. I expected to have heard something on this subject from the Colonial Treasurer, especially as the Premier once this session made a great point of it; but I did not, and the matter seems now to have disappeared altogether. Whether it will turn up again or not remains to be seen. I think the honorable gentleman has fallen into an error in regard to the question of a Railway Depreciation Fund. But I am not surprised at that, because his time has been so fully occupied that he has not had leisure to attend the last meetings of the Railway Management Committee, and therefore he does not know what facts have been brought to light. I may say that my eyes have been completely opened by the investigations of the Committee. I went into the Committee with the full belief that it was absolutely necessary to put on a heavy mileage charge in addition to that which had already been provided for in the Estimates of the late Government; but the researches of the Committee proved to me that no change was necessary, and that there only needed to be made some provisions for the restoration of rails. I shall not detain the House any longer. I say once more, on this violent proposal of the Government, the generalization of the land revenue, that the matter deserves more consideration than has yet been given it, and it only remains to hope that it will turn out better than I anticipate. I fear, however, that there will be a good deal of heart-burning caused throughout the country by the action of the Legislature in regard to this matter. In conclusion, I have to say that I think the Government are bound gravely to reconsider what they have done: that, having by their Financial Statement alleged that a monstrous annual or daily deficit exists—a deficit mainly created by treating non-recurring payments as ordinary expenditure—and having thus made, as it were, a declaration of insolvency, they simultaneously propose to go to the London market for a great loan. I urge on the Colonial Treasurer to retract that allegation before it is too late to avert the

fatal consequences to the public credit that such a statement, made on the authority of a Minister, must inevitably entail.

Mr. BOWEN.—Sir, as no one on the opposite side of the House seems inclined to speak, I shall make a few remarks concerning the Land Fund. I do not wish to dwell any further upon the financial question, for that has already been dealt with by the honorable member for Egmont and the honorable member for Christchurch. I may say that the figures of my honorable friend the member for Egmont have not been controverted, and that, in fact, they are incontrovertible. Before referring to the question of the Land Fund I wish to say one word as to the manner in which the Inscription of Stock Bill has been dealt with. I am very sorry to hear the Government state that they intend to drop that Bill. For the last two years very careful negotiations have been going on in London in order to obtain such a measure as this. There has been a great deal of correspondence between the Colonial Office, the Treasury, and the Bank of England on the subject, and it has been generally considered that the Agent-General has obtained a very great boon for the colony in getting the Bill passed through the English Parliament last session. He deserves, and has obtained, great credit both at Home and in the colony for his action in the matter. Sir, there has been a good deal of talk about releasing the Sinking Fund, and I think that if that were done in a proper manner it would be a very good thing. Such a step would be a great relief to the annual charge on the colony, and would get rid of a system condemned by all political economists. It may not be generally known that the Inscription of Stock Bill provides the best means for releasing that fund, and I hope the Government will reconsider this question, and not throw away the opportunity of funding our debt in the most satisfactory manner in which it could be funded. In the Statement which the Colonial Treasurer made the other day there were two tables, and I hope that the honorable gentleman, if he has occasion to refer to the Statement again, will, as the honorable member for Christchurch has suggested, correct some of the errors that he has made in them. Now, I wish to direct attention to the manner in which the sum of £300,000, which is put down as one of the items for which the loan is required, is shown in the Statement. It is put down as a debt due to the Public Works Account by the Consolidated Fund. Nobody who was not acquainted with the fact would guess that this £300,000 was the amount of deficiency bills which have been issued according to law for the year. I say that the manner in which this item has been shown tends to mislead the public. Now, with regard to the Land Fund, I wish to direct the attention of the House to the recklessness of the propositions which have been made by the Government. I venture to say that no person in the country believed one month ago that any alteration would be made with regard to the disposal of the Land Fund this session, and I do not think that anybody believed it a fortnight ago. Well, Sir, I do not

think it is proper to make such a radical change in the finance of the colony so suddenly. Notice ought to be given of the intention of the Government to do so. I hear an honorable member call out "Abolition," as if Abolition had been brought into effect suddenly and without notice; but I say that the Abolition question was discussed in this country for two years before it was carried. This, however, is a revolution which is brought about in a week or a fortnight, without any notice whatever being given to the public that it was to take place. There is no guarantee in the Statement of the Ministry that either the North or the South will obtain what it hopes for by the carrying into effect of the proposals now made. The North has no guarantee whatever that it will gain anything by the proposal to colonialize the Land Fund. Now, Sir, with regard to the South, I cannot say what the intention of the Government is as to the amount of land they intend to put into the market in the Province of Otago. It is to a certain extent within the control of the Government what land they put into the market. In the case of the Province of Canterbury, where there is free selection, that province is made the absolute victim of this proposal, without any guarantee or safeguard whatever. In the part of the country where free selection is going on, the land is being parted with, and the land revenue will not go to that part of the country from whence it is principally derived. There is a remark made in the statement of the Colonial Treasurer with which we can all agree. He says that "One of the most legitimate objects to which that revenue ought to be applied is to render available for settlement the particular locality from whence it has been derived: in fact, this ought to be regarded as one of the main conditions upon which the purchase-money is paid." But what guarantee have we that the revenue will be so applied? Is it the experience we have had during the last few nights? Is that the guarantee that the Land Fund, as voted here, will be returned to the districts from which it has been taken? We all know very well that it is a question of a majority of the moment how the money will be voted in this House. There is no guarantee whatever that the districts from which the greater portion of the revenue may come will receive a fair proportion in return. The late Government made a proposal to take this year from the land revenue of the Province of Canterbury a sum of £58,000 in part payment of some of the public works which have been carried on in that district in late years. Well, let us compare, say, for one year, according to the present rate of receipts, the difference between the proposal for the Province of Canterbury of the late Government and that of the present Government. The land revenue is now coming in at a rate which will make it over £700,000 a year—a very low estimate for this year, as £500,000 had already been obtained at the end of September. The whole of the charges on the Land Fund, including surveys, administration, the 2 per cent. for the railways, every charge, in fact, even including subsidies to Road Boards, will amount in round numbers to £120,000. Adding

the £58,000 which the Government propose to take, the amount will be £178,000. That would leave £522,000 to be distributed to the counties in that district. By the proposal of the present Government, assuming that they mean to pay 20 per cent. on the gross receipts, it would leave £140,000 to be distributed among the counties. And in any year of less flourishing land sales the loss to the provincial district would be proportionate. Well, Sir, I quite admit that it may be necessary to reconsider the system of dealing with the Land Fund, but we should so reconsider it as to prevent the application of the land revenue to the ordinary purposes of government, so that it may be absolutely specialized for public works and immigration—that is, for peopling the country. A scheme merely to generalize the land revenue is an absolute proposal to waste it, and to encourage extravagance in the country: indeed, there is nothing, as we have the proposal brought down now, to prevent this land revenue from being squandered upon the ordinary purposes of government. When the Government took over the public works and immigration it took over the responsibility of seeing that the land revenue was devoted to public works and immigration in the same manner as the provinces had devoted the land revenue for that purpose. I find a remark which I do not quite understand in this Financial Statement. It is there clearly stated that one of the charges upon the land revenue is immigration. No doubt immigration and public works are legitimate charges upon the land revenue, but, as the law stands, immigration is no more one of the charges on the land revenue than public works, and heretofore it has never been made a legal charge upon the land revenue. Immigration has been paid for out of loan by the General Government. The sentence to which I refer is this: "We mean to make the Land Fund colonial revenue, subject to all the obligations which the colony has undertaken in respect thereof, such as cost of administration, cost of survey, immigration, interest on provincial loans, and so forth." This is sufficiently vague as part of a Financial Statement. I do not know whether "so forth" means to cover public works, but the honorable gentleman will find that, if he includes them, there will be nothing left for any other purpose. The honorable member for Christchurch City (Mr. Stevens) said he thought that this matter should have been referred to the constituencies. I have always said that the whole question of the land revenue should not have been dealt with until after the next general election. We all know perfectly well that it was proposed by all parts of the House that there should be a redistribution of the seats of this House, and that the whole question of representation should be reconsidered; and it is certain that a question of this sort, which so seriously affects a very large part of the country, should not have been dealt with until a general election had taken place, and until the constituencies had had an opportunity of expressing their opinion upon the subject. I am quite sure that in the southern part of the country, especially in the Province of

*Mr. Bowen*

Canterbury, there will be a very strong feeling of dissatisfaction if we agree to the proposal without giving the constituencies an opportunity of expressing their opinion upon it. I said a little while ago that the people in the North Island had no guarantee whatever that what they fancy is now being done is going to be done, because it is more than hinted at that a very large part of the land may be reserved all over the country for different purposes. We do not know in what way it is to be reserved, but there is a process going on at present by which private members suggest reserves to be made all over the country in a haphazard way. This makes it an absolute lottery; and I would warn honorable gentlemen from the North Island that it is not at all clear that while they are helping to rob one particular part of the country they are in any way obtaining what they themselves think they are obtaining—that is, a system of distributing the land revenue in such a way as to open up and settle the country. The difficulties of the Government in the meantime will be increased—while the land revenue does not come in owing to the making of these reserves—in consequence of the provincial charges being thrown upon the Consolidated Fund. The provincial liabilities will be swept away, and the land revenue may not come in as anticipated by the Colonial Treasurer. Sir, I know very well that a great many people differ upon this question of the land revenue, and I know that it has become the fashion in a great part of the country to speak of what is called "the colonialization of the land revenue" as an absolute necessity. I am not aware that it is a necessity; I do not think it is a necessity; and I do not think that the general revenue will provide for all the expenditure that it is supposed it will provide for by the course that is now taken. It will be necessary to find funds to enable the local bodies to carry out the works which they must carry out. They will have to keep up the roads, they will have to keep up all sorts of local works, and the money will have to be voted by this House. If this Land Fund is thrown into the general revenue this House will have to provide money for local wants, unless we are content to starve the local bodies. I quite admit, as I said before, that the distribution of this land revenue will probably have to be reconsidered, but I do not think that the right way to do so is to agree to what is called "colonialization"—that is, throwing it into the general revenue. There is another thing which I should like to point out, namely, that this generalizing of the land revenue is merely taken up as a scheme for postponing what has been talked of so much—the taxation of incomes and of property—by increasing the local burdens. It is a scheme for relieving the large properties at the expense of the thickly-populated parts of the colony. I hope that, whatever is done, this matter will be carefully considered, and that, at any rate, this House will require that a well-considered scheme shall be submitted to it, which will provide that no unfair advantage is taken of any particular part of the country, and that the land revenue is not put into the Treasury on such conditions that it can be dealt

with for every kind of purpose, and not specialized for the purpose of opening up and settling the country.

Mr. GISBORNE.—I wish to make a few general remarks on the subject of the Financial Statement which has been made by the present Colonial Treasurer. My opposition to the Government rested on the belief—founded on the constitution of the present Ministry and on the reticence of the Premier in his Ministerial statement to this House—that the policy of the Ministry would be a standing menace to the unity of the colony. That belief may have been mistaken, but, notwithstanding the many hard things which have been said, it was honestly formed, and, if the foundation for that belief no longer exists, it will be as honestly given up. I find, towards the conclusion of the Financial Statement, the following words:—

“My future aim will be to endeavour to arrange a system that may prove stable, that will secure a state of equilibrium between our revenue and our expenditure, that will be of a character sufficiently fair not to excite the cupidity of one portion of the country or the envy of another; and, as this House in its wisdom has determined, and the colony at large has agreed in that determination, to try to bring the whole of this country—differing as it does in common interests, in the manner of its colonization, and in its topographical features—under one united Government, so will it be the object of my colleagues and myself to assist in the realization of this effort by simplifying and regulating our too abundant partnership accounts, and introducing a system of united finance, without which a wholesome united Government is impossible.”

I regard that as a pledge that the policy of the Ministry will be to maintain the present Constitution and the financial unity of the colony, and while they adhere to that policy I shall not oppose them on the ground which I have mentioned. I would also say, Sir, that the Financial Statement commands my general approval, not merely on that ground, but likewise because it distinctly puts forth a policy of this, to a certain extent, localization of the Land Fund. It is all very well for honorable gentlemen who have preceded me to say that the colony has not been prepared for this policy. I say that it has been prepared for it during the last two years, and prepared in a very bad way. There has been no distinct policy of the localization of the Land Fund. That principle has been held out as a promise to the ear, but it has been broken to the hope; we have had no legitimate appropriation of the Land Fund, but we have had an illegitimate speculation of it. We have now a distinct statement that it shall be localized to a certain extent, and I am glad to say that the principle of localization is recognized even more than I have already explained. The Colonial Treasurer says,—

“Sir, I wish it also to be understood that, if administrative reforms and reduction of expenditure can be effected to an extent which may allow of any increase of the proportion of 20 per cent. referred to, such proportion shall have the benefit of it accordingly.

“On this subject I desire to add that, while the circumstances into which the colony has been permitted to drift render it imperative that the land revenue should be dealt with as we have just proposed, my colleagues and myself fully recognize that one of the most legitimate objects to which that revenue ought to be applied is to render available for settlement the particular locality from whence it has been derived: in fact, this ought to be regarded as one of the main conditions upon which the purchase-money is paid. We are therefore of opinion that, in apportioning the public revenue throughout the colony, such condition should be kept faithfully in view.”

Therefore the principle of localization is not only established to a certain extent by legal provision, but there will be a portion of it subject to appropriation by this House in the same direction annually in such a way that the settlements from which the Land Fund arises shall have generally the advantage of that fund in opening them up for increased settlement. It is on this ground that I give a general approval to the Financial Statement. I am rather surprised at the argument that this change should not be made until there has been a general election, proceeding, as that argument does, from the very persons who actually wished to effect provincial abolition without consulting the constituencies at all. Those honorable gentlemen were regularly coerced into appealing to the constituencies, and at last there was a general election, and the colony expressed its opinion on the policy of Abolition; but the Government and their supporters wished to effect Abolition without any previous general election, although there had not been one, I believe, for three years previously. There is one part of the late Colonial Treasurer's speech on which I desire to say a few words. I think the attack he made upon the honorable member for the Thames for his administration as Governor of the colony was very unfair. That attack was founded on an address by the House of Representatives passed in 1854 to the Officer Administering the Government, but that address really did not go beyond finding fault with the organization of the departments of the day, and stating that they required reform and reorganization.

Major ATKINSON.—No.

Mr. GISBORNE.—I think you will find that it was so, and that the House of Representatives complained that the administration of the departments was such that it required the introduction of responsible government. When that address was passed, Sir George Grey had been absent from the colony for some months, and a great constitutional change had been recently effected; so that it would be very surprising if the departments had not, in consequence of that change, required reform and reorganization. But what were the circumstances of that address of the House of Representatives? That body had quarrelled with the Officer Administering the Government in consequence of the delay in introducing responsible government, and they wished to put such a colouring upon the administration of the departments of the Government as would show

that responsible government should be introduced as quickly as possible. There are, however, other people besides the members of the House of Representatives of that day who could judge of the government of Sir George Grey; and those are the people who were governed by him. I came across accidentally the other day, in a special *Gazette*, dated September, 1853, just before Sir George Grey left the colony, some addresses which were presented to him. I will not read them all, but will merely give the headings of them, and one or two extracts. No. 1 is an address to Sir George Grey from the settlers of Wellington and its vicinity, which had 530 signatures to it. What do they say?—

"In referring to the prosperous state of the colony, the contentment, the greatly-improved condition, and rapid advancement in civilization of its Native inhabitants, we acknowledge with feelings of satisfaction that its progressive improvement and the growing development of its resources, which offer so marked a contrast to the state of depression and confusion that prevailed on the arrival of your Excellency in New Zealand, are in a great degree owing, under Divine providence, to your vigorous and prudent administration of the Government. We indulge the hope that the future advancement of our adopted country may be further identified with your name, and may offer fresh illustrations of your acknowledged ability and reputation."

There was another address, from the artisans of Wellington, in which they say of him,—

"Holding the highest station in these Islands, you have kindly mingled amongst us more as a friend than a ruler, being always ready to sympathize with the distressed and relieve the wants of the poorest settlers. We now bid you a temporary farewell, not with the cold, formal respect which merely your office of ruler of these Islands and representative of our Queen would of course claim of us as British subjects, but with the warm feelings of personal interest in your welfare with which we should regard the departure of an esteemed friend and respected brother-colonist."

Then there is an address from merchants of Wellington, and an address from the settlers of the Hutt District, also an address from the settlers of the Wairarapa District, all to similar effect; and another from the Ngatiraukawa and other Native tribes of New Zealand, in which they say,—

"This, then, is our address of kindness and esteem, our last farewell address, made and given by us, the tribes and people occupying this the southern part of New Zealand. Receive it as a tribute of kind remembrance and respect. Receive it thus."

I say addressees like those from both races will weigh against any address of the House of Representatives passed as was that to which the honorable member referred. If the honorable gentleman wishes to arrive at a fair estimate of the administrative ability of Sir George Grey at that time, let him consult the historical records, which show what was the condition of the colony when Sir George Grey arrived in it in 1846, and

what it was when he left in 1854. That would have enabled the honorable gentleman—

Major ATKINSON.—I did so.

Mr. GISBORNE.—Then does the honorable member mean to say that the administration of the Governor, autocratic as it was in those days, did not elevate the colony from a state of the greatest depression to a state of high prosperity? Does he mean to say that Governor Grey did not find it in a state of war and leave it in a state of peace? Does he mean to say that Sir George Grey did not raise it from a condition of almost bankruptcy and place it in a condition of solvency, although he had not the command of eleven millions to spend in five or six years? The responsibility of the Governor at that time rested wholly upon his own shoulders, and I say that when we regard the first administration of Governor Sir George Grey we must regard it as the achievement of a great success—an achievement which caused him an amount of mental and physical exertion of which Ministers now-a-days, from their own experience, have no idea. Another error, of a less important character, which struck me when the honorable member spoke, was that he assumed to himself the whole credit of having prepared and introduced, in 1875, a special Appropriation Act for the expenditure under the Public Works and Immigration Act. If he will look back he will see that in 1872, 1873, and 1874 there were special appropriations of this expenditure. They were contained in the ordinary Appropriation Acts, but still they were special appropriations for the department.

Major ATKINSON.—They were permanent.

Mr. GISBORNE.—No, they were not. There was so much for the Under Secretary, so much for the clerks, and so on; and the only difference the honorable gentleman made was to take them out of the ordinary Appropriation Act and put them into an Act of his own. In all cases the only lump appropriations were for the actual works. Sir, the honorable member for Waikouaiti made reference to one matter which, I am glad to say, gives me an opportunity to say something about the aspersions, for so I must call them, which have been cast upon the permanent Civil servants of the present day. The honorable gentleman stated that, from his own experience of the permanent officers, he was convinced that they would never think of thwarting any Ministry; and from my own experience I can fully corroborate all that he said. I was Under Secretary under some eight or nine different Administrations, and I know these officers well, and I can say that it was always a point of honor with us, whatever Ministry came into office, to assist them to the best of our ability. I shall never believe, unless I have far better evidence than the surmises of some newspaper correspondents, that that spirit has changed in any way; and I say that, if any suspicion exists in the minds of Ministers that such is not the case, the longer they remain in office the more convinced will they be that what I state is the fact. The general fault I find with the Financial Statement is that it does not give us the ways and means for the present year. We have what it would be if the law were not

*Mr. Gisborne*

changed, and we have, also, what it would be without the estimated land revenue; but we have no estimate of what our income will be under the proposed new policy, say from the 1st January next. I should have thought that an essential part of the Financial Statement, and, although its absence has not been remarked, I think it is a grave error. When a new policy is introduced, although we may approve of it generally, we want to know what its effect will be on the finances—what we shall get from it, as well as what we shall expend, which, we are told, will be on the whole on the same scale as that estimated by the late Government. I am not going into figures. The House has had figures from honorable members better able to deal with them than I am, and I will merely say that I approve generally of the principles laid down in the Financial Statement. But I reserve to myself the full right to consider the Bills giving effect to those principles when they come before the House, to criticize them in detail, and, if I disapprove, to oppose them. Generally, however, the principles of the Financial Statement, inasmuch as they preserve the unity of the colony, and determine to a certain extent the localization of the Land Fund on a fixed basis, meet with my approval; and, generally, I shall support the financial policy of the Government.

Mr. SUTTON.—I differ from the honorable gentleman who has just sat down in reference to the question of the localization of a portion of the Land Fund. I think that is the most objectionable feature of the whole of the Treasurer's financial proposals. If the Government think it is necessary, for the purpose of revenue, to colonialize the Land Fund, they should do the work thoroughly. There is a great degree of uncertainty in reference to this 20 per cent. We are not told whether the 20 per cent. is to be allocated in accordance with the Financial Arrangements Act of last session, or whether Road Boards or counties or other local bodies are to have this money paid to them. I do not see that it is a sound principle that a certain portion of the Land Fund should be allocated locally. The public works of the colony for the last six or seven years, although they have opened up the colony and improved the means of communication, have at the same time added very considerably to the value of private property, and I do not see why, because a settler invests several thousand pounds in land, the Government should pay back 20 per cent. of the purchase-money for the purpose of improving that settler's land. It would have been much better if the Government had generalized the whole of the land revenue, and compelled the various local bodies to do the necessary local works. There can be no doubt that property must be taxed. This House has already resolved that there must be a change in the incidence of taxation, so that property shall bear a fair share; and I think it would be more conducive to the good government of the colony if this House took all the land revenue, and left it to the local bodies to impose taxation upon property, instead of this House doing it. I understand the Treasurer to tell us that the necessities of the colony

compel the generalization of the land revenue. If that be so, Sir, I can scarcely understand that portion of the Statement which tells us that during the recess surveys are to be made for a large number of branch lines of railway, which lines are to be constructed out of the proceeds of sales of land. That does not look like generalizing the land revenue. Within the last six weeks, by Bills, by resolutions, and by messages from the Crown, we have allocated a million and a half acres of land. We have set aside for branch railways, harbours, and those kinds of works, a sum equal to the revenue of the year. Another reason why the Colonial Treasurer brought down this proposal was that he wished the English creditor to know exactly how we stood, and to strengthen our position in the money market. If he wanted to do that, he should have shown in his Statement that we have within the colony sixteen and a half millions' worth of unsold land. He surely might have informed the bondholders of that fact. That would have assured them that they have ample security. Then, at page 7 of the corrected Statement, we are told that the Government is going to carefully consider the report of the Railway Management Committee, with a view to giving effect to its recommendations. It would be much better if the Government had themselves decided what was necessary. I object to Committees of this House, composed, generally speaking, of members with strong political views, determining what shall be the policy of the Government. The Government ought to take such responsibility upon itself, and not throw it on to Committees of the House. The greatest objection I have to the Statement, however, is this: I understand the policy of the Government to be a thoroughly centralizing policy. We have scarcely any mention of local bodies. We have no indication of measures for the welfare of local bodies. They are only referred to once or twice. The Government seem to refuse to have anything to do with them. Perhaps they are going to do away with them. At any rate, they are going to take under their care and protection the main roads and bridges of the colony. It would be much better if the Colonial Treasurer had seen his way clear to bringing the present system of local government into something like shape, instead of devoting his attention to some new system of keeping a few Treasury accounts, especially seeing that it was in consequence of the action of those gentlemen last session that the Counties Act was passed in the way in which it was. The intention of the Government seems to be to cramp local self-government altogether, and to make one strong central Government, which the circumstances of the colony will never permit to exist. I am one of those who believe very much in local bodies, and I believe they could do very much better than this House a very large proportion of the work which comes before us—that they could do it more satisfactorily and cheaply; and therefore I hope that the Government will bring in some measure which will confer upon those bodies proper powers of government and ample rating powers. If that be done, I have no doubt what-



ever of the efficacy of local bodies. I will support any Government which will frame and carry out such a policy in respect to local bodies as that which I have sketched. If we go on increasing our business in this House as we have done during the last two or three years, it will be quite impossible for us to keep up with the work of the colony.

MR. REID.—Sir, I think it must be satisfactory to honorable gentlemen, and more especially to members of the late Government, that this Financial Statement has at length come before the House. After all the assertions and insinuations we have heard made in this House and have seen circulated throughout the country as to the misdeeds of the late Government, as to defalcations, and as to malversation of funds, that were likely to be disclosed as soon as our successors had got into power, this Statement is a very tame affair. We were continually told, during last session and during the present session, of the evil deeds which had been done with regard to financial matters, with regard to the Native Minister's department, with regard to public works, and with regard to the Native lands. Every one of these allegations was hurled against us at different times; and, now that our successors have got into office, and have had opportunities of finding out all our misdeeds, they have come down to the House with such a Statement that any one who reads it must come to the conclusion that, truly, "the mountain has been in labour and has brought forth a mouse." But, Sir, all those insinuations and accusations were part of a scheme adopted by those honorable gentlemen in order to injure the late Government in the opinion of the country, to undermine our reputation, and thus, by means unconstitutional and unfair, to weaken us, so that we might be driven from office, and they might take our places. We have been told that there has been a waste of time in this House; but I ask honorable members who have seen what has taken place in this House during the present session to say on whom rests the responsibility of wasting time. Was it not the late Opposition who wasted time? The measures of the late Government were brought down in good time; they were all ready to be submitted when the House assembled; but no sooner were they presented for consideration than we had interminable questions raised relating to the disqualification of members who have since been proved not to be disqualified, points of order innumerable, and questions of privilege one after another, till honorable members became sick and tired of the waste of time; and these questions were got up simply for the purpose of obstructing public business. Then what were the reasons given why the late Government should retire from office? The first of these was, that we were a continuous Government since 1869. On what argument could that assertion be maintained? A continuous Government! Why, in 1871 I was in opposition to the Government which was then in office, and the honorable member for Dunedin City (Mr. Macandrew) was a supporter of it. In 1872 I formed one of the party which ejected from office the Government of

1869, and for a time I sat on those benches as a Minister, the honorable member for Dunedin City (Mr. Macandrew) then being in opposition to our Government. In 1873 I was again in Opposition; there was no Opposition in 1874, and I was as often found supporting the Government as the honorable member for Dunedin City; and in 1875 we were both in Opposition. How can it be maintained that the same Government was in office during the whole of that period? If it was, strangely did the honorable member for Dunedin City and I change our places. I opposed the Government that was in office in 1871 for reasons that were patent to the House; but when, after the session of 1872, more moderate counsels prevailed with regard to the carrying out of the Public Works policy—when the Government agreed to bring down their proposals and have them voted in detail in this House—when they agreed to carry out that policy with greater prudence and moderation—then the cause for the great part of my opposition was removed, and so long as they carried out their policy in moderation I would have been a supporter of that Government; but when they came to the question of Abolition I was not with them. I opposed them so long as it was possible to oppose them in carrying out the Abolition policy. But in 1876 that policy was carried into effect. It was carried by the Acts which stand on the Statute Book of this House, and after that it was futile to oppose it. It was decided upon by the House and by the constituencies, and I no longer saw any reason to oppose the Government of the day. On other points I was entirely with them. Then another reason urged against the late Government was that it carried Abolition. If those honorable members who were then on this side of the House entertained any serious objection to that proposal, why did they not take steps to reverse that policy when they went over to the Government benches? Why, Sir, even after Abolition was an accomplished fact, we were accustomed to hear long speeches against it, and it was made a strong charge against the late Government that they had accepted Abolition; but when those honorable gentlemen take their seats on the Government benches they say, "The provinces are gone; we accept Abolition." Why did they not take up that position at the beginning of the session, instead of making constant endeavours to harass the late Government? It was said that we were a centralistic Government; but, in order to show how hollow and untruthful were the charges made against us in regard to that, and in regard to the measures we brought before the House, I need only point to the fact that our successors have taken up almost every important measure we introduced, after railing against them as I have described. What consistency is there in such conduct? Where are the Education Bill, the Mines Bill, and the Land Bill? And, moreover, they even accepted the financial proposals of their predecessors, and adopted them. Then, as to the statement in regard to Native affairs which was delivered a few days ago, why, Sir, that consisted mainly of laudation of the late Government. The only

Mr. Sutton

new point in it was that some small payments for officers in the outdistricts might be reduced. Well, Sir, those honorable gentlemen will find that that will have to be done with very great care. The late Government were quite as anxious about reductions as the present Government can be; they were making, and, indeed, they succeeded in making, very great reductions. Another point to which exception was taken was as to the arrangements with regard to the system of purchasing Native lands. The honorable gentleman objected to purchases being made by agents paid on commission; but that was also remedied by the late Government, and when the present Government succeeded to office there was, I believe, only one agent employed under that system, and even his engagement would have been brought to a termination as soon as the negotiations on which he was engaged were completed. The honorable gentleman will find that arrangements of that nature cannot be brought to a sudden termination. Some little time must elapse before an absolute conclusion can be arrived at. We have heard constantly, and we hear still, insinuations as to the abuse of power by their predecessors. Sir, I challenge them to give proof of these abuses. They have threatened to make exposures, but they have not made them yet. And why? Simply because it is not in their power. The desire is there, but it is impossible to prove the charges, because there is no truth in them. In order to show the House the kind of charges that have been circulated by "own correspondents," who are in the confidence of the honorable members on the Government benches, and the kind of information sent throughout the country, I will read an extract from a leading journal published in the City of Dunedin.

Mr. MACANDREW.—There are no "own correspondents" in my confidence.

Mr. REID.—But this journal is in the honorable gentleman's confidence, and in the confidence of his Government; and I may say that the amount of ability these "own correspondents" display in the invention of fictions is marvellous. If I wished to produce a work of fiction I should consider no cost too great to secure the services of these gentlemen. This is the kind of insinuation that is made, and it is taken from the *Otago Daily Times* of the 25th October. It proceeds in this way:—

"The investigations which the present occupants of office are endeavouring, in the face of gigantic difficulties, to make, are causing uneasiness, and it is impossible to suppress the conviction that the late Ministry are afraid of consequences. It does not necessarily follow that, because they are acting as those would act who have done dishonestly, therefore there are dishonest things to be concealed; but the similarity of conduct is such as to leave in the mind a moral certainty that the late Ministry have substantial reasons for shrinking from the results of searching inquiry, and that, in consequence of this, they precipitate another trial of strength for the purpose of dislodging those who are ransacking official pigeon-holes, and accumulating dam-

natory evidence against the past administration of affairs."

Why, Sir, in the face of this, and of the charges that were made, we have had nothing but laudation of the past administration in this House, laudation of the most complete and emphatic kind. The extract proceeds,—

"This view of the position will be confirmed in the public mind by knowledge of the grave charges which have been again and again laid, and as often burked, and which the then Opposition were twitted with having made without being able to substantiate them. The possession of power and of documents made the position of the late Ministry impregnable to every charge of questionable transactions; and being able to afford as little or as much information as they deemed prudent in relation to any act of alleged malfeasance, they were able to sneer at the efforts made to get at the bottom of transactions in the impropriety of which there was a very general belief. That is all changed now. By a sudden movement, in the short space of some six hours, Ministers found themselves unexpectedly thrust from office, and their places taken by those to whom information on the administration of public affairs had been refused, or given in such measure and in such a manner as merely tended to mislead. Can we wonder that the accession to office of those searchers after hidden things should have sent a thrill of fear through the minds of the ousted Ministers whenever they came to realize their true position? . . . The making of Ministerial statements has been confessedly delayed by the operation of making searching inquiry—the very thing that is hated of ex-Ministers' souls. Therefore statements of policy must be precipitated on insufficient information, or inquiry must be cut short by ejection from office. There cannot be a doubt that every hour's delay is an hour of additional danger, for every hour is adding to the damning evidence that is accumulating. We should not wonder, therefore, at the determination of ex-Ministers to make an immediate, however desperate, effort to regain control, in the absolute consciousness that a few days or weeks of power and opportunity afforded to their enemies in possession would seal the exclusion of ex-Ministers from office for years to come. Time in this case is all-precious, and Major Atkinson is prompt accordingly."

That is a specimen of the kind of literature that is being circulated throughout the country from north to south by "own correspondents," and by journals which are in the confidence of members of the Government. That communication was published on the 25th October, nearly a month ago. Now where is all this damning evidence? Where are all these hidden secrets which were to be extracted from the pigeon-holes of the Cabinet room? What has become of all the charges that were so freely levelled against the late Government in this House? They simply do not exist. But, notwithstanding this, we find the same string being harped upon up to the present time. I have here the *Otago Witness* of the 17th November, and it says,—

"The many and grave charges that have been

made against the public administration during the past few years have, to say the least, engendered suspicions that, if unfounded, should be removed, and this is a consummation that can never be effected so long as those concerned in such transactions are the only means of communication with the public. If the late Administrators have nothing to conceal, and no interests to conserve which are not those of the general public, it would undeniably be in their own interest that strangers should make investigations and submit the result of their inquiries to the public, so that suspicions might be removed. But, whatever the truth may be, the excessive haste and the unseemly violence and passion exhibited by Major Atkinson and his followers in their anxiety to immediately eject their successors have the tendency to increase suspicions, and to leave the impression that the continuance in office of Sir George Grey is perilous to the fame of the late Administration."

I think time has been given. A few weeks have passed by; but where is the evidence of the truthfulness of the charges which were so freely and loudly made, and which, I regret to say, are still being repeated in this House? The Premier rose during this debate and, as is his wont, repeated the insinuations of malfeasance and maladministration on the part of the late Government. We have had two Financial Statements made by the Colonial Treasurer, and I must say that I very much regret the language used by that honorable gentleman. I regret that in the first Statement he made he should think it befitting the high position which he holds to hurl accusations against honorable members of this House, and to make references to the private positions of honorable members, which, whether true or untrue, ought not to have emanated from him as a leader of this House. That honorable gentleman should bear in mind that when he takes his place on those benches he becomes the representative of this House, and that such language does not become him. A party claiming to be the representatives of the people, claiming to be those who are leading the people of this country, and distinguishing themselves as treating all portions of the community alike, showing no distinction on account of social position, should not throw out the insinuation against the honorable member for Egmont that he must be in office in order to have a visible means of support. I regret that the honorable member for Bruce should laugh at such language. If the qualification for office in this House is to be the possession and worship of Mammon, if we are to bow down to men of wealth, and men of wealth are to have an exclusive right to office, then I say it is a bad omen for the future of our public men. I regret that the honorable member is not here, because I should like to say in his presence what I am now saying in his absence. I am sorry indeed, Sir, that you did not take note of the observations which were made by him, for I am sure that if you had done so you would have made some reference to them.

Mr. SPEAKER.—The honorable member will allow me to say that I hardly think it is proper

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for him to get up, some days after a remark has been made, and express his regret that I had not made some reference to it at the time. I can only say that if such an expression was used I am sorry that the honorable gentleman did not draw my attention to it at the time.

Mr. REID.—What I said was that I regretted you did not observe the remarks at the time.

Mr. SPEAKER.—I am extremely desirous of stopping the use of improper language by honorable gentlemen. I hope I am always sufficiently attentive to my duties. I say this in all kindness, and I hope the House will indorse what I have said.

Mr. REID.—I shall be sorry if you, Sir, misunderstand me. I was only saying I regretted that you did not, at the time, notice the language which was made use of by the honorable gentleman; but, at the same time, I am quite sure that, if you had noticed it, you would have referred to it.

Mr. SPEAKER.—I have only to say that, when called on, I intervene; but, if I got up of my own accord on every occasion when objectionable language is used by honorable members, I should be getting up almost constantly.

Mr. REID.—In reference to the statements which we have heard from the Colonial Treasurer, so far as they refer to the financial position of the colony they are to a great extent exaggerated, and in such a way as to put the very worst features of the case before the House and the public. I do not intend to follow them up, because I think they have been already proved to be wrong. I believe that the Financial Statement is not consistent with itself; it is contradictory; and, in my opinion, it is very difficult indeed to find out what the real intention of the Government is. I cannot help saying that in that Statement our financial difficulty is exaggerated, and I cannot help thinking that it is purposely exaggerated, with the view of damaging as much as possible the position taken up by the late Treasurer, and to make an excuse for this attempt to seize the land revenue. It must be very gratifying to those who have the prosperity of the colony at heart to find that those honorable gentlemen, having put the matter in its very worst light, cannot make it appear worse than this Statement discloses. To my mind, the position of the Ministry in dealing with this question may be well described as that which actuated the evil spirit portrayed by Ovid as looking down on the stately temples and rich harbours of Athens, and scarcely able to refrain from weeping because she could not find anything at which to weep. They are, metaphorically speaking, weeping because they cannot put matters in a worse light than they have put them in. The Treasurer came down, and has been, and I regret to say the honorable member for Akaroa also has been during the whole session, croaking a financial dirge over an imaginary empty and impoverished Exchequer. This being so, it is satisfactory to find that the Treasurer's Statement discloses our position in the most unfavourable aspect. I have heard a great deal of advice given by honorable members of this House in regard to party action during the present session. Well, all I have to say is that party action in this House is becoming so ex-

trème that it tends to do away altogether with healthy political action. The honorable member for Riverton has on several occasions during this session read lectures to us in regard to the action of parties and the evils of party action, but it invariably was the case with the honorable gentleman that whoever voted with his party were right, and whoever voted in opposition to his party were wrong. Their action was to be condemned; and all this took place while he was preaching the condemnation of party action. I think the lectures which that honorable gentleman has delivered to the House this session ought to be taken to heart by some honorable members. The honorable gentleman occasionally introduces Scriptural quotations into his speeches; but it is said that a certain personage can quote Scripture to a great extent. I think it would be well if the honorable gentleman would read St. Paul's essay on charity, for I believe that in that essay he would find some sentiments which would be beneficial to him if he laid them to heart. The Premier also, when speaking on this question, made some reference to party action. Now, it appears to me that what that honorable gentleman wishes is that we should have the American system of party action. I cannot conceive anything more destructive to the independence of members of this House than that they should be compelled to give up their own convictions and adopt those of two or three honorable gentlemen who may be set up as leaders; that members should give up their own honestly-formed opinions on all questions, and vote blindly, as these selected leaders may direct; that, should any member judge for himself, should he use his own judgment and discretion and decline to follow in the footsteps of his party, he is to be subjected to all the odium and strong feeling which can be evinced by the members of that party towards him. I hope that is a state of affairs which will not be introduced into this House; and I hope that, while members may agree to follow any party they choose on large questions, they will consider that they are responsible only to the constituencies which returned them to the House. It has been said this session that the political machine is extremely sensitive; but I must say that, if it is very sensitive, it has been put to a severe trial. We have seen members voting on one side one day and on another side the next. We have known members, without any solicitation whatever, giving pledges that they would support the late Government and assist them to get on with the business of the country, but who, without any change in the policy of the Government, and without giving any satisfactory reason for the change in their opinions, have turned round in the course of a few weeks and voted against the party they had pledged themselves to support. A notable instance of that is found in the case of the honorable gentleman who is now Colonial Treasurer. I am sorry that he is not now present, but I must say what I have to say regarding his change of opinion. That honorable gentleman informed us a few nights ago that he had not sought a seat on the Treasury benches, and

that his presence there was not of his own seeking. That may be so, but I say it would be very interesting to know what induced him to take the action which he did some few weeks ago, and which resulted in his being placed in his present position. On the 24th August last that honorable gentleman attended a meeting of the supporters of the late Government, and expressed a desire to support them and assist them to get their measures passed; and yet four weeks afterwards we find him leading an attack on the Government. I should like to know the reasons that induced him to change his opinions so quickly. I cannot believe that the reasons which he gave in regard to the *Waka Maori* question were those which caused him to change his opinions, because everything he referred to in that debate had occurred before the day on which he attended the meeting of Government supporters. Neither can I believe that the reasons he gave when moving his second vote of want of confidence in the Government were those which induced him to alter his views so quickly. I believe there was something underneath. The reasons the honorable gentleman then gave for having no confidence in the Government were, that the Government had acted wrongly in regard to the sale of the "Luna;" that there was no finality in the finance of the Government; that there had been negligence in connection with the wreck of the ship "Queen Bee;" that the coal fields had not been opened up fast enough; and that the expenditure in those districts which were represented by Ministers had been too great. I say that all these matters, if they were reasons for opposition to the Government, were patent to honorable gentlemen from the first day of the session, and I say that these were no reasons at all for the change which took place in his opinion, but, if they were his reasons for so doing, he ought to have been opposing the Government from the beginning of the session. Sir, the patriotic step which the honorable gentleman took when he accepted a position which was not of his own seeking was like that which was taken by the Roman patriot, Mettius Curtius. We are told by the historian that according to tradition a wide chasm opened in the market-place at Rome, and it was said by the wise men that nothing could fill it up but the greatest riches of Rome. The soothsayers laid their heads together and began to consider what were the greatest riches of Rome, and while they were discussing the matter Mettius Curtius appeared on the scene, fully armed and equipped, and exclaiming, "Courage and arms are the greatest wealth of Rome," he put spurs to his steed, which leaped into the chasm, it immediately closed over him, and thus Rome was saved. The position that the present Colonial Treasurer was in was this: There were two wings in the House, but they were divided by a deep chasm. In order to save the two wings a patriot was required to step into the chasm, and that patriot was found in the person of the honorable member for Dunedin City (Mr. Larnach). While the soothsayers of this House—the honorable member for Akaroa and others—were putting their heads together to as-

certain what could save the two wings, the honorable member for Dunedin City appeared, and exclaiming, "Sheep and runs are the greatest wealth of Otago," stepped into the chasm, and the Opposition were saved. The reasons which induced the honorable gentleman to take the step he did in regard to those motions are not to be found in the speeches he delivered, but in the action taken by me in the Waste Lands Committee, of which I was a member. I regret that the honorable gentleman is absent through illness, and therefore I shall not pursue my remarks in this direction to the extent I would otherwise do. The honorable gentleman desired to be examined before that Committee with the view of obtaining an extension of the licenses of pastoral tenants in the southern district of Otago. I did not see that there was any justice in the claims set up on behalf of those tenants, and I opposed any concession being made to them in that direction. Well, in the short space of one week after that decision was come to we find the honorable member moving a vote of want of confidence in the Government. The action taken in the Committee may have been the cause of this; and I think, looking at the fact that all the reasons alleged for carrying that vote of no confidence had been known to him from the beginning of the session,—that all the reasons adduced, excepting perhaps that with reference to the "Queen Bee," were known for some time, and were known by him at the time when he publicly stated his intention to support the late Government and to assist them in carrying on the business to a speedy conclusion,—it is quite justifiable on my part to conclude that the action taken by the Waste Lands Committee in regard to leasing the runs in Southland had some influence on the course of his action. I may be wrong, but if I had any doubt on that point I think the very active part taken by an honorable gentleman who comes from a district of that part of Otago—not a member of this House, but a member of another branch of the Legislature—in regard to this question, the persistent part taken by him—

Mr. STOUT.—Name.

Mr. REID.—The honorable member can surmise. I am not going to name, and no honorable member has a right to require me to do so. It is as patent to every member of this House as if the name were mentioned. If I had any doubt about the matter, the active part taken in the lobbies by that gentleman in opposition to the late Government in regard to the Land Bill and the land policy of the late Administration would confirm me in the view I have taken in reference to the conduct of the Colonial Treasurer. That being so, it was a matter of satisfaction to me to hear from the honorable member that it is not his intention to remain long in the Government. I must be candid with him in respect to this matter. I have no confidence in the administration of the land laws being carried out, in the part of the country I come from, faithfully under his régime. No matter what land laws we pass affecting that part of the country, a great deal depends upon administration, and it is satisfactory therefore for me to hear that it is not the

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intention of the honorable member to remain long in the Government. His presence in it would be a menace to the faithful administration of our land laws. I cannot forget the action taken by that gentleman and the other member I have referred to, and others who acted with him, in 1869, when an Act was passed which imposed upon that part of the country grievous burdens and great disadvantages in the way of obtaining land for settlement. I cannot forget their action in opposing any amelioration of that law in 1871, and their attempt to prevent it in 1872. I cannot forget, further, the action taken by that party to prevent the opening of land for settlement on deferred payments, and that when, in 1874, land could be proclaimed open for sale on deferred payments, those gentlemen did all they could, by issuing injunctions of the Supreme Court and otherwise, to prevent it being allotted to persons who desired to obtain it. Every effort has been used by that party to prevent the occupation of our waste lands by the yeomanry that I would like to see settled upon them. They carried appeals to England even, and delayed our action in regard to the settlement of these lands for years. That being so, I say that the presence of the honorable member in the Government is not assuring to me. Sir, I will now refer briefly to the Financial Statement made by the honorable member. The assurance he gives in the beginning of this Statement is satisfactory to me at all events. He says,—

"I will at once admit, Sir, that it would be impossible for me to attempt to place more clearly before this House than the late Colonial Treasurer has done all details in reference to the different loans which this colony has from time to time contracted; nor have I the time or the means, at this very late period of the session, to revise them. The Government has no other course to adopt but to accept them."

Although that statement is not so conclusive as it might be as to the accuracy of the details given in the Statement of the late Treasurer, it is so far confirmatory. It is, perhaps, as much as we could reasonably expect, seeing the statements that have been made by the members of the Government with whom he is associated against the Financial Statement of the late Treasurer. Then, in regard to our Estimates, he says,—

"I feel that I have no other course open to me at the present time than to accept the estimates of expenditure nearly as they appear in the tables recently submitted by the late Treasurer."

I say that these two statements, taken together, are an ample justification of the financial position and policy of the late Government. Then, notwithstanding the statements made at an earlier part of the session in regard to the provincial liabilities, which it was said the late Treasurer did not understand, and which the new Treasurer would immediately put before us in a clear way, why, what does the honorable member say? He says,—

"The difficulty of ascertaining the amount of provincial liabilities seems to be very great, and that of finding the means wherewith to liquidate

them when ascertained seems to me to be still greater."

The late Treasurer told this House that there was great difficulty in discriminating and determining what would form provincial liabilities: it was not a matter that could be determined until many of the works already authorized were completed. Then, Sir, the difficulty of finding the means to liquidate them was no greater to the honorable gentleman than it would have been to his predecessor. As to the expenditure, and the economy which has been very loudly preached by some honorable members opposite, and the extravagance which has been so loudly denounced by others, some honorable members denounced the late Government because the expenditure was too lavish, and others blamed the Government because their expenditure had not been lavish enough. And so it will be with any Government who sit on those benches. They will find that, while they are condemned for spending too much, they will, on the other hand, be condemned just as severely because they spend too little. That has been the case, and it will always be the case, because different parts of the country look on these matters from different standpoints. It is no use to blame the Government for not being economical, for until we have a House determined to economize and curtail expenditure it is impossible for the Government to do so. We have now had placed before us a calculation of the daily expenditure in excess of revenue. I think it was unfortunate that that Statement was put before this House and the people of the country. I say this because it is an unfair statement of the case. It is well known to the honorable member, or, if it is not, it ought to have been known to him before he submitted such a Statement to the House, that it is not an annually-recurring expenditure that is calculated in this daily expenditure. He might as well have included the loans we are incurring for our public works—the works which we admit we are constructing from loans, and which are not to be an ordinary charge upon the revenues of the colony. He might as well take in that expenditure into this Statement in order to show what the daily expenditure would be over our revenue. I think, therefore, that it is much to be regretted he did not deduct the sum of £661,024, being the provincial liabilities, and that he did not also deduct the items on the Supplementary Estimates, amounting to £112,910, which are not fairly votes that would be annually recurring. They are not fairly votes chargeable against the ordinary revenue of the colony. If those sums are deducted it will be found that there will be no excess of expenditure whatsoever, and that there will be secured that equilibrium between income and expenditure which the honorable gentleman so much desires. The honorable gentleman, in bringing down his new proposals, has referred to the unstable character of our colonial finance, and from that we were led to believe that the Statement now before us would secure stability in the future. I take leave to doubt that inference. I see no greater stability in the Statement before us than

in the finance of the last few years. On the contrary, so far as I can make out this Statement, the finance it proposes is contradictory and inconsistent, and it is impossible for any honorable member to see what the state of the colonial accounts will be under these proposals. For instance, by way of illustrating what I mean, I should like to quote a few words from the Statement itself in regard to the distribution of the Land Fund. The first proposition is that the land revenue is to be spent by the local authorities; then it is to be spent in the locality from which it is derived; then the proceeds are to be used in constructing railways to open up these districts; and in a more advanced passage of the Statement the honorable gentleman puts it thus:—

"Should our land receipts keep up, I apprehend that it will not be necessary to attempt to raise a larger revenue from the people than is now drawn from them, but, should that source of revenue fall off, we must be prepared to submit to heavier burdens to meet our obligations to our creditor, and conduct the business of the country."

If the land receipts keep up, and are to be devoted to three purposes, I cannot conceive how they are to be devoted to a fourth—namely, the reduction of taxation. And here I may say, with regard to this proposal to take the land revenue, I entirely agree with the statement made this evening, that one of the objects of seizing this revenue is to obviate the necessity, as is here expressed, of increasing taxation. I do not look upon increased taxation as a boon, and I think the longer we can avoid it the better for the country and the people in it; but, if it is to be avoided by seizing on the revenues that belong to other parts of the country, then I say it is unfair to those who contribute the revenue in those parts; and increased taxation, which would fall on those who have largely benefited from the public works, would be a more legitimate proposition. While the honorable gentleman, in a speech delivered a few nights ago, declared to us that he was quite prepared to submit to increased taxation, yet in this Financial Statement we are told that it is an evil to be avoided, and that we must seize the Land Fund so as to avoid it. I fail to see why the industrious man who comes out here and pays his money for the land, and expects that the proceeds shall be devoted to opening up the land, should have it taken from him to pay the interest on the burdens which have been incurred, the benefit of which has been chiefly felt by some more fortunate proprietor. A far more legitimate position to take up would be that to which this House has already agreed—namely, to levy a property and income tax, and to leave the Land Fund to be disposed of by the local authorities under the system now established by law. Then we are told that this is not robbing the districts of their land revenue, because they are to receive 20 per cent. of the land sales. I am at a loss to find in this Statement how this 20 per cent. of the Land Fund is to be returned—whether it is to be before or after the charges have been deducted—whether

it is to apply over the whole district, or only within the respective counties in which the revenue accrues. Nor is it very clear under what local authority this expenditure is to be made. In all these respects the Statement is vague and unsatisfactory. In regard to this proposal to give 20 per cent. of the Land Fund to the districts, I will assume for the sake of argument that it is to be of the gross proceeds. Even in that way I cannot look upon it as any boon at all. I say it is none. If you look how this will operate you will see that you might just as well make the whole Land Fund colonial, without fixing any to the locality, so far as the district within which the revenue is raised is concerned. I have taken the trouble to go over the effect it will have in the different districts, taking as a basis the figures in the tables of the estimated receipts and proposed charges on the Land Fund attached to the Financial Statement of the late Colonial Treasurer. Assuming that the amounts there set down are to be realized from land revenue, and apportioning 20 per cent. of the total to the different districts, I will show the House how the proposal will affect the land revenue of the Middle Island. In all the cases in which there is at present a deficiency, that deficiency will have to be made up either from the Land Fund of other districts or from the consolidated revenue, and under the new proposals that deficiency is to be increased to the extent of 20 per cent. on the total land sales in the provincial district. The following figures will show how the various districts stand:—

TABLE showing Land Fund which will be payable to each Provincial District under proposals of the Hon. the Colonial Treasurer on basis of Estimate of Land Revenue and Colonial Charges made by the late Colonial Treasurer:—

	20 per Cent. proposed to be paid to District.	Amount to be borne on Colonial Revenue.
<b>AUCKLAND.</b>		
Land Fund £120,500	20 per cent. £24,100	
Charges 118,880	Less surplus 1,620	
Surplus £1,620	£22,480	£22,480
<b>TARANAKI.</b>		
Land Fund £23,025	20 per cent. £4,605	
Charges 28,134	Deficiency 6,109	
Deficiency £8,109	£10,714	£10,714
<b>WELLINGTON.</b>		
Land Fund £80,150	20 per cent. £12,030	
Charges 88,636	Deficiency 28,486	
Deficiency £28,486	£40,516	£40,516
<b>HAWKE'S BAY.</b>		
Land Fund £15,400	20 per cent. £3,080	
Charges 23,551	Deficiency 8,151	
Deficiency £8,151	£11,231	£11,231
<b>NELSON.</b>		
Land Fund £16,850	20 per cent. £3,370	
Charges 28,230	Deficiency 11,380	
Deficiency £11,380	£14,750	£14,750
	Carried forward	£99,691

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	20 per Cent. proposed to be paid to District.	Amount to be borne on Colonial Revenue.
<b>MARLBOROUGH.</b>		
Land Fund £29,950	20 per cent. £1,990	
Charges 16,630	Deficiency 6,680	
Deficiency £6,680	£8,670	£8,670
<b>WESTLAND.</b>		
Land Fund £10,750	20 per cent. £2,150	
Charges 31,994	Deficiency 21,244	
Deficiency £21,244	£23,394	£23,394
<b>CANTERBURY.</b>		
Land Fund £238,800	20 per cent. £67,760	...
Charges 123,174		
Surplus £215,626		
<b>OTAGO.</b>		
Land Fund £295,100	20 per cent. £59,020	...
Charges 182,878		
Surplus £112,122		
		£131,755

The result of the proposal will be, if fully carried into effect this year, that the Provincial Districts of Auckland, Taranaki, Wellington, Hawke's Bay, Nelson, Marlborough, and Westland will receive £131,755 from the Consolidated Fund; that Canterbury, instead of receiving £215,626, the surplus to which it would be entitled under the proposals of the late Government, will only receive £67,760, thus losing £147,866; and Otago, instead of receiving £112,122, the surplus to which it would have been entitled, will only receive £59,020, thus losing £53,102. The Provincial Districts of Otago and Canterbury would therefore lose £200,968, and the other provincial districts of the colony would secure £131,755, and the Colonial Government would secure £69,113 of the plunder. Of course that depends upon these Estimates being realized, and I think I am justified in assuming that they will be. Sir, the proposal is a most unfair one. I do not know how honorable members who come from the part of the country from which I come intend to deal with these proposals, but I will say this: If there is one question in respect to which the people of that provincial district expect their representatives to be true, it is the question of securing to that district the land revenue now secured to it by law. What were the circumstances under which that policy was inaugurated? How long is it since this land revenue has been made over to them by Statute? From 1856 up to the present time, a period of twenty-one years, that land revenue has been secured to them by Acts of this Assembly, which have been re-enacted time after time. Why, no later than in 1875, when the proposal for Abolition was carried, it was carried on the distinct assurance that the land revenue would not be interfered with, although there was a clumsy proposal with respect to issuing Treasury bills in aid of land revenue. That proposal I objected to; but still the land revenue was secured to these districts, and the proposal to issue Treasury bills in aid of land revenue,

which was a vicious one, was done away with this session. That proposal is now a thing of the past. There were no proposals this year for issuing Treasury bills in aid of land revenue. Of course, if provincial districts are not able to provide the revenue necessary to meet expenditure on account of loan charges, the colony must meet the deficiency, but that is a very different thing from saying that the revenue of other districts shall be appropriated for the purpose, only 20 per cent. being given back. Such a proposal as that I call—well, I should not like to use in this House the term which I think it would be fitting to apply to such a transaction, or to those members from my part of the country who would agree to such a proposal. If the proposal be agreed to we shall see one of the effects of out-and-out party action—that kind of action which compels men to sacrifice the deliberate convictions and opinions they have expressed, and the pledges which they are under to carry out the views of their constituents, in order to gratify and secure the success of party. I say, Perish party when it causes such action as that. I care not which party made such a proposal, it should have my most strenuous opposition, and, after all the speeches we have heard in regard to this matter, I cannot conceive how any member for the South can agree to such a proposal. I have heard a speech in this House in which occurred this passage: "Let the question be determined, what is to constitute political honor, political honesty, and political morality. We have to determine what is the example to be given to New Zealand for all time." Sir, this is the occasion on which this example is to be given; and let that be seen by the decision to which we come on this question. Do not let the Provincial District of Otago be robbed of its rights—a district which has husbanded its land revenue and endeavoured to promote settlement, and which has not hurried the sale of its land to secure large revenues, as an adjoining district has done. It has been a standing reproach against us in the minds of some people that Otago has not opened its land more freely. I say that a district like this ought to be protected, and its land revenue ought not to be swept away in the plundering process now proposed to the House. To do so is treating the district with great unfairness and injustice, and I am doubtful whether such a scheme will not defeat itself. The people have bought land in that district in the full belief that the land revenue would go to make their lands accessible to them; and the effect of this proposition, if carried, will be to interfere with the sale of land, and to the extent that you interfere with the profitable occupation of land you interfere eventually with the prosperity of the country. I regret that I have taken up the time of the House so long, but I feel very strongly that the action it is proposed to take will be most injurious to that part of the colony from which I come, and I ask honorable members to leave party considerations out of the question, and vote on this question on its merits. It is possible that there may be on this side of the House many members who are in

favour of this proposal; but I say this: that no matter who there may be, or how many there may be, in favour of it, I look upon it as an act of gross injustice, and it is one against which I shall decidedly record my vote. I need not dwell further on that point; but there is one matter in regard to the Government itself which I wish to allude to. Reference has been made to the waste of time, and it has been charged against members of the Opposition that they have obstructed business. How such a charge can be brought with truthfulness or with any feeling of reality in the minds of those who make it I cannot conceive. Since we have been on this side of the House we have been urging the Government to bring forward their measures, and have been willing to give them our support in taking them through.

An Hon. MEMBER.—Oh.

Mr. REID.—An honorable member says "Oh." Why, we have a majority on this side of the House. They could not have passed a single measure had it not been for our assistance. What has caused the waste of time? Why, when a motion of want of confidence was tabled, instead of meeting it fairly and putting up their men to speak and to offer arguments, they brought forward all sorts of questions with the object of securing delay. There were the usual questions of privilege raised, and we had this great constitutional dispute with the Governor. That was raised by the honorable member for Dunedin City (Mr. Stout) as a most important matter. He brought it up on several occasions. Where is that constitutional question now—that great question upon which depended the liberties and freedom of this House and the people? It has dropped into oblivion now that it has served its purpose. It is gone. Time was unmistakably wasted over that; and, having brought up this bogus matter one day, an adjournment was obtained in order that they might consider it. The Government came down in a hurry next day and snatched a division, in order to save themselves from expulsion from those benches, and notwithstanding that three members who would have voted against them were absent they were only saved by the casting vote of Mr. Speaker. Then when, on a subsequent occasion, in order to test the matter fairly without reopening the full discussion, another motion was brought forward, how were we met? We were met again by the motion being put as low on the Order Paper as possible. A motion by the honorable member for Auckland City East, who always comes in to assist the Government in its difficulties, for placing a sum of money on the Estimates to defray the cost of a representative going to the Paris Exhibition—that motion was talked until the hour of half-past five, in order to prevent the motion of the honorable member for Egmont coming forward. And so the time has been wasted. When they were in opposition they wasted time, and since they have been in office they have done the same; but what else can be expected of a Government who are in a minority—who stuck fast to office on the casting vote of Mr. Speaker, notwithstanding the distinct assur-



ance that several honorable members who were looked out would, had they been able, have recorded their votes against them? We were prepared to assist in passing the important Bills on the Order Paper, and which were left there by the honorable gentlemen's predecessors; but I fear that, notwithstanding the time that has been spent on some of those measures, the result will be that they will not become law this session. I doubt much whether any Land Bill will become law, and if none is passed this session the effect on the part of the country from which I come will be very serious indeed, and will be felt for many years to come. I have only to say that the proposals of the Government for seizing the land revenue of the Middle Island will receive my most strenuous opposition at every turn. There is no sense of fairness in them. With regard to districts the revenue of which is not sufficient to bear their expenditure the colony must see that the deficiency is paid, but that is no reason why the revenues of another part of the country should be taken to enrich them.

Mr. STOUT.—Sir, the criticism that has been passed upon the Financial Statement is not a criticism addressed to this House. That, I think, has been recognized all through this debate. It is what we might term newspaper leading-article criticism, addressed to the constituencies. That has been the whole style of the speeches of the honorable member for Egmont and the honorable member for the Taieri. If I understand party action aright, the criticism of a Financial Statement should be based upon an entirely different principle. When one party brings down a policy it should not be met by the other party with little carping criticisms about this sum being wrongly added up and that sum being omitted. The policy is attacked, and, if there is a party in opposition which has a policy to submit, it comes down with a distinct motion, stating that the policy of the Government is unsatisfactory. But what do we see here? The leader of the Opposition comes down, and in a speech of two hours makes a long carping criticism, but entirely ignores the main policy. The great part of the honorable gentleman's speech merely amounted to a wail that Auckland was getting nothing and that Otago was getting everything. That was the Alpha and the Omega of his criticism of the policy. And now we have the process reversed: the honorable member for the Taieri comes down and makes the opposite complaint that Auckland is to get everything and Otago nothing. How can one understand this from the leader of the Opposition? If this policy, which has been termed one of spoliation, is wrong, what policy have those honorable members to propose? What do they propose? I will deal first with the position taken up by the honorable member for Egmont. He assumes that he alone is fit to be a leader of this House, and he actually has the audacity—to use the word of my honorable friend the member for Invercargill—to contrast himself with the honorable member for the Thames. Sir, I will quote an opinion given by a leading member of the House in a debate last year upon the qualifications of those two honorable gentlemen. Let us

hear what this honorable gentleman says of the honorable member for the Thames: "I am quite convinced that the honorable gentleman whom we have the honor now to lead our party is quite competent to hold his own with any other member of this House, I care not who he is." That is what a leading member of the Opposition said of the honorable member for the Thames; and this is what he says of the honorable member for Egmont:—

"Then the Minister for Immigration: well, I may say that he is a very energetic, active, and valuable gentleman on those benches, but I think he is too much imbued with an imperious turn of mind to conciliate or work in sympathy with the people. If he conceives a thing to be right, it must be carried out. It is right; therefore it must be done. I am afraid he does not give sufficient attention as to whether his views of duty will meet with the approval of the people themselves. True statesmanship is shown in dealing with matters in which the sympathies and prejudices of the people are involved, and in dealing with them in such a way as to carry the sympathy of the people with you."

That was the opinion of the honorable member for the Taieri when he contrasted the honorable member for the Thames and the honorable member for Egmont last year. The one, he said, stood the highest among all the members of the House, and the other was of an imperious turn of mind, having no sympathy with the people and no statesmanship. Now, I should like to know what the honorable member for Egmont ever did in Parliament before he occupied a seat on the Government benches. I have taken the trouble to look through the pages of *Hansard* subsequent to his election in 1872 to find what proposals he made in this House and what action he took. I may remark, first, that he came here as a pledged supporter of the honorable member for Timaru, so strong a supporter that, when the honorable member for Timaru asked for a dissolution in that year, he said that, if the honorable member for Egmont had been present, he would have had an additional vote, and his Government would have been ousted by one only. What did the honorable member do? The position he took up in the House was a very poor one. It is true he spoke in the debate on the reduction of the gold duty, and his remedy for a reduction of taxation was that the gold duty should be reduced. Then he spoke on the Tariff Bill, wishing it to be distinctly understood that he did that not as a supporter of the Government. He was then in opposition, and he remained in opposition until that famous wire-pulling arrangement in which Mr. Studholme was concerned with the honorable member for Timaru. Then he went over, and then we had set us the example of selecting members of a Ministry during a recess, when a gentleman was taken from the Civil Service and put into the Ministry in order again to please the honorable member for Timaru, that gentleman being the honorable member for Kaiapoi. That has been the action of the honorable member for Egmont. I now come to deal with his views as to the policy of

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1870, and I must say that it was a most extraordinary thing to hear a gentleman who had nothing to do with that policy, who was elected to oppose it, taking credit for what was done in 1870. Could assurance any further go? The majority of the late Ministry were opposed to the policy of 1870. The honorable gentleman started by saying that the policy of the late Government was not the policy of 1870, although their action was the same. Then he gave us some statistics about road-making and the introduction of immigrants, which were all inaccurate. He said, for example, that 100,000 immigrants had been introduced, and that 2,800 miles of road had been made. I find that only 78,475 immigrants have been introduced; that only 2,081 miles of road have been made; and so on as to the rest of his figures. The honorable gentleman next took great credit to himself for the alteration he had made in the finances of the colony, and he pointed out that the policy of the late Government was a far-seeing one. As to the change in the finances of the colony, what change did he make? The only change he made was that, instead of making permanent appropriations for railways, he charged the whole sum upon the Appropriation Act. What change was that? If the House chooses to pass an Appropriation Act, saying that a certain sum out of any loan shall be appropriated for the formation of railways, instead of voting so much this year and so much the next, what right has the honorable gentleman to claim credit for that? Another statement made by the honorable gentleman was that he was going to do something great with reference to the floating debt. He first said that it was a desirable thing; then he went on to say that it was an undesirable thing; and, finally, he sat down without letting the House know which he really believed to be better. But if a floating debt was a desirable thing, why did the honorable gentleman take credit for the Inscription of Stock Bill which was to get rid of the Treasury bills? and if it was an undesirable thing to have a floating debt, how was it the honorable gentleman did not discover that before he got into the cool shades of opposition? Then as to the Inscription of Stock Bill. Does any one mean to say that New Zealand is to be made one shilling richer by the passing of that Bill? Are we to get any sums of money from the English creditor for nothing? Not at all. The Inscription of Stock Bill is merely another method of raising money.

Mr. REID.—We shall get it at a lower rate of interest.

Mr. STOUT.—I doubt very much whether it will have that effect. The only effect of the Bill will be that, instead of issuing Treasury bills, we shall increase the permanent debt of the colony; but, to hear the way honorable members talk, one would suppose that the moneyed men of London were going to give us large sums of money because we have passed the Inscription of Stock Bill. Then the honorable gentleman took great credit for his far-seeing finance. I scarcely know how to characterize such a statement as that. I say that there has not been a year during which this continuous Ministry have been in office that their

financial proposals have not been changed. They came down with a proposal in 1870 that a capitation allowance of £2 a head should be given to the provinces for the first year, and it was gradually to be reduced until it came down to 30s., and then it was to be reduced no lower. That was to be the limit. That was what was seen in the distance in this far-seeing finance. Then they saw in the distance the great returns that were to be got from the railways. In ten years from the initiation of the scheme they were to pay the interest on loans; but not a single result has come out that was predicted. Well, then, what happened in 1871? The charges per head were altered. Then we come to the Abolition policy of 1875, and, according to the Act passed in that year, there was to be a certain fixed relationship existing between the different provincial districts and the colony. But what happened in 1876? This same Treasurer, who pledged his solemn word that the Abolition Act of 1875 should not be altered, brought down the Financial Arrangements Act; but here, he told us, we were to have finality. "True," he said, "we have to alter the Act of 1875, but here is a Medo-Persian law, which will not require to be altered." But what happened in 1877? He comes down with a proposal to alter the Act of 1876, which was never to be altered. And this is what he calls "far-seeing finance." It was a far-seeing finance with no principle. There was no back-bone in it. It was a shifting, wriggling thing you could not get hold of. Yet they scraped together sufficient votes in the lobby to carry it through so far. Exactly the same thing happened in regard to their Native Land Bill. They found it would not pass; but did they stick to their policy? No; it was like their financial policy of 1876. They wriggled out of it. And these are the far-seeing statesmen. Take their policy of 1877, as shadowed forth in their Financial Statement. Is there any finality there? Nobody can say there is. But the honorable member for the Taieri has given the reason why there could be no finality. He allied himself with a party whose views were as far apart as the poles asunder. How could we find finality where we find a Government divided on the question of the Land Fund, upon which hinges the finances of the colony? Sir, finality was impossible. And now the honorable gentleman makes a wail about the position in which Otago is placed; but, I would ask, who has placed Otago in that position? Why, the honorable gentleman is one of those who have done it. I say that, as far as the Otago members are concerned, if the honorable gentleman had not betrayed his party and gone over to the Government we might have been able to dictate our own policy. As soon as the honorable gentleman saw that his own party was beaten, he, without consulting any of those with whom he had worked for years, went over and joined the then Government. And now he wails over what has happened! I say that, if Otago has suffered, it has been caused to suffer through the actions of its own representatives. I hear the honorable member for Invercargill say, "Hear, hear," and I am glad

that he agrees with me. Before I deal with the question of the Land Fund I wish to give another example of the far-seeing finance of the late Colonial Treasurer. The honorable member for the Taieri has given us a lot of figures to-night. I suppose he has been so accustomed to take what the honorable member for Egmont says as true that he thinks his estimates are correct. He seems to have made his calculations to-night on the assumption that the estimated receipts from the Land Fund will be correct. How fallacious that is! We find the late Colonial Treasurer coming down with the statement that he was to receive from the Auckland land sales this year no less a sum than £120,000, and from licenses issued in Auckland £500, making a total of £120,500. Now, Sir, from a return which has been prepared, we find that the actual amount received from the land sales in Auckland for the last quarter is £373 7s. 8d. Why, the thing is a perfect farce. And yet this is called far-seeing finance. A man to be a Treasurer should be able to look into the distance and estimate what his revenue will be. The man who can do that is a man who shows that he has a proper knowledge of finance. I say that not one of the Colonial Treasurer's estimates for last year came out correct. As regards Auckland, we find that, instead of having received £30,000 from land sales for the quarter, the amount actually received is the magnificent sum of £373 7s. 8d. Again, with regard to Otago. Otago, according to the late Colonial Treasurer, was to get something like £300,000 from the land sales for the year. But what is the fact? Why, that the amount realized for the quarter is £51,000. Therefore the estimate is about £100,000 out for the year. Auckland also would be about £100,000 short on the year. That is a sample of their far-seeing finance. Now, Sir, the honorable gentleman has complained that certain newspaper correspondents have dealt very severely with the late Government. Well, Sir, we all know that newspaper correspondents are very severe sometimes, and we know also that they sometimes say what is incorrect. There is a colonial journal in Wellington which has sometimes stated what was incorrect with regard to the Ministry, but the honorable gentleman never found fault with it on those occasions. It is even doing it now. It has been the custom of the Wellington Press to abuse some honorable members of this House. I was looking over a file of Wellington papers the other day, and I found that the Press was not any more merciful to honorable members than it is now. One of the papers printed in 1865 referred to the honorable member for Waikato as "the darling stump orator of the Auckland roughs." That seems to have been the style of the Wellington Press for a long time back. Members who come here have to put up with a great deal of abuse, such as no respectable journal in England would admit into its columns. It has been stated that some of the objectionable articles which have appeared in the Wellington papers have been written by some of the colleagues of the honorable member for the Taieri. I do not think that, on the whole, he has any

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cause for complaint against the Press. The honorable gentleman talks about newspaper correspondents, but what has that question to do with a discussion on the financial proposals of the Government? The fact that a correspondent of the *Otago Daily Times* has made certain statements has nothing to do with the financial question. The honorable gentleman has endeavoured to show that the reason why the present Colonial Treasurer left his party—though I do not think he ever belonged to that party—and went against the late Government, and proposed motions of want of confidence in them, was that the honorable member for the Taieri went against the extension of the Southland leases. I ask honorable gentlemen, and especially those who are members of the Waste Lands Committee, if greater nonsense was ever talked. How did the division go when the question was brought up in the Waste Lands Committee? There were five members of the Committee who voted against it—namely, Messrs. Ballance, Lumsden, Reid, Thomson, and myself. Three of those gentlemen now belong to the Government party. Then who carried the motion for the extension of the leases? It was carried by the honorable gentleman's own party. This motion was agreed to by the Waste Lands Committee on the 19th September, 1877, and the first movement made by the present Colonial Treasurer to oust the late Ministry was made eight days afterwards. Why should he, if this proposal was actually carried by supporters of the late Government, go and take office under a leader who has gone against the extension not only of the Southland leases, but also of the Canterbury leases? I think the honorable member had better say as little as possible regarding the proceedings of the Waste Lands Committee. What did he do in the Waste Lands Committee in connection with the Canterbury runs? Why, he proposed that the assessment should be one shilling a head, and he got the Committee to agree to it. Then the question was brought up again, and the assessment was reduced to ninepence per head. Then, when the honorable member for Invercargill, in his place in the House, proposed that the assessment should be restored to one shilling, what did the honorable member for the Taieri do? Why, to the surprise of every member in the House, he got up and voted for the ninepence. And yet he says that this is a squatters' Government! He says it is a Government which has got into office because it has the support of the squatters! And what did he do in regard to the extension of the leases? We proposed that, instead of giving leases up to 1890, they should be made to expire at the end of five years. Then the honorable member for the Taieri, when the question came to the vote, walked into the lobby and said he was convinced that the extension of the leases was the proper thing. He voted for the motion that the leases should be current until 1890; and yet he says that this Government is a "squatter" Government. Was ever such bunkum talked in this House before? Now, with reference to the Southland leases. When they came on for discussion when the Land

Bill was in Committee, what was the proposal of the Government? Did they propose that this extension of leases should be granted? No. No such amendment was ever moved, and no such amendment has even been proposed. Yet he talks about this Government, and calls it a "squatter" Government. Then, I ask him how the late Government voted with reference to the squatters. Take that clause in the Land Bill which gave power to the Waste Lands Boards, if they saw people buying land for purposes of speculation. It was proposed by himself to give power to the Waste Lands Boards to stop that sort of thing by taking land out of the speculators' hands; but when the question comes before the Committee the honorable member for Timaru gets up and makes a protest against it. Then the honorable member for Egmont, the honorable member for Clive, the honorable member for Waikouaiti, and the honorable member for Kaia-poi all vote against it. They all voted against the Minister for Lands on that occasion. They, in fact, went into the lobby at the dictation of the honorable member for Timaru. I assert that, if it had not been for the late Opposition, which stuck to the honorable gentleman when his Land Bill was in Committee, it would not have been passed through at all, and none of those liberal provisions which it now contains would have been left in it. Although he knows all these things, he calls this Government a squatters' Government. He says that they have been put in office and are kept in office by the squatters. Why, the idea is one of the most preposterous I have yet heard. I shall now speak with reference to the Land Fund. The honorable member who last spoke has made two propositions which are utterly irreconcilable. His first argument was that it was unfair to those who had purchased land in settled districts on the understanding that out of new lands sold they were to get part of the proceeds for the purpose of making roads—it was an unfair thing to them to take the land revenue and make it colonial, because they purchased the land on the distinct understanding that the land revenue was to remain with the provincial district, and it would be unfair to break that honorable engagement. That was his first proposition. Immediately afterwards he said that the only course to adopt, instead of taking the Land Fund, was to tax those who bought and improved the land. These two things are totally irreconcilable, because, if it is an improper thing to take the Land Fund because of those who bought the land in the past, how can it be a proper thing to tax those who bought the land in the past? Now I deal with the question as affecting Otago. Let us see the loss to Otago if this proposal is carried out. The Government proposal is to give 20 per cent., or one-fifth, to the district. Under this arrangement, if the land revenue in Otago comes up to £200,000 a year—and I, for one, do not think it will exceed that, unless the land is sacrificed—Otago will get £40,000 a year. Well, under the proposal of the late Government, Otago was only to get £112,000 if the land revenue came up to about £300,000 a year. If the land revenue

came up to only £200,000 a year, Otago would get somewhere about £15,000 or £20,000. Under the proposals of the present Government, if the land revenue only came to £200,000, Otago would get £40,000: thus Otago would gain £20,000.

Mr. REID.—Where from?

Mr. STOUT.—Where from! That was one of the beauties of the Financial Statement of the honorable member for Egmont the other night. According to him the colony was going to be ruined because of the colonialization of the Land Fund. He said to this House, "If you take over the Land Fund, and make it colonial property under the proposals of the Government, the colony will go to the bad £370,000." His statement was something like what one finds in Scripture. When the children of Israel were in the Wilderness of Sin, the more manna they got the less they had. So it appears that the more Land Fund the colony gets, the worse off is the colony. Now, with regard to the Land Fund, I stated in this House last year, and I stated before in this House, that I considered the most important question in dealing with State lands was not the question of finance, but the question of settlement. I have said, and I still assert, that it will soon become the bounden duty of this colony to see that those vast tracts of land that have passed into private hands shall be split up and occupied by the settlement of the people. I say that, looking at the peculiar way in which landed property differs from all other property, you can get the highest authority among political economists in favour of the State taking such a course. I might also cite the authority of one who in this House may be considered a strong Conservative. I remember that in 1870 the honorable member for Timaru proposed that private land should be taken by the State, and settlement forced on it against the will of the owners. I do not speak even in reference to Crown lands, but also in reference to the private lands of the colony, and I maintain that the State should insist that the land should only be held in small holdings, and not in vast blocks. When, the other night, I moved in the direction of that being carried out in the Waste Lands Bill, from whom did I get any support? When I proposed that no one holding more than 2,000 acres should be allowed to buy from the State, under the system of deferred payments, any of those vast pastoral blocks, varying from 500 to 5,000 acres, from whom did I get any support? Did I get any support from the Opposition—from the honorable member for the Taieri or those members with whom he is allied? No. They all voted dead against me. And yet they say they are in favour of the land being cut up into small blocks. I have stated that I look upon the settlement of the land as of primary importance, and upon the land revenue as of secondary importance. But I would point out that the amendment moved by the honorable member for Rangitikei and carried—namely, that a certain proportion of the amount received from deferred-payment holders shall be spent within the deferred-payment block—will do more for settlement, will do more to help those who are struggling in order to make

a home for themselves in a small way, than any proposal ever before made. It means that those who go upon small deferred-payment areas to begin the occupation of farmers will have roads made, and will be able to get away their produce. What have they to do now? For making roads they have to depend upon the County Council, and perhaps they have not a sufficient number of votes to put a member into the County Council, or even into a Road Board. I know many districts in which they have no road to their land, and consequently they live in poverty, because they cannot get their produce away. The proposal I refer to, if carried out in its entirety, will settle the Land Fund question; because what will be the result? I hope to see all the remaining lands in this colony that are available for agricultural purposes absolutely reserved for settlement by small farmers on small areas, so that not one acre shall be allowed to escape into the hands of the speculator. That is what this House ought to do; and, if that were done, and one-third of the deferred-payment rents reserved for the purposes of road-making, we should have far more settlement than we have had in the past, or are likely to have in the future under the proposals made by the colleagues of the honorable member for the Taieri. Then we find the honorable member talking about spoliation. I cannot understand such an argument as that. Does he mean to say that the Land Fund of Otago is to be conserved this year as provided for in the Financial Arrangements Act of last year? What did the late Treasurer propose to cast upon it this year? Why, there might be cast upon it this year upwards of £100,000, to be raised by Treasury bills, which would ultimately have to be met. The whole question seems to turn upon this: Both parties in the House—the late Government and the present Government—insist upon taking the Land Fund. The only question is this: Shall the Land Fund be taken on a definite system, or shall it be taken according to some arrangement made in the lobbies, and on no principle whatever? That is the only question which this House has to face. What did this honorable member who speaks about spoliation of the Land Fund propose to do in the Educational Reserves Bill? Was not that spoliation? There were reserves specially set apart—given over not only by Crown grant but by an Act of this Assembly—and those reserves were to be specially set apart for the provincial districts; and this Government, that could not do any spoliation, proposed by the Education Reserves Bill to take away the whole of those reserves from the purposes for which they were set apart. The honorable member says “No.” Does he know that the Education Reserves Bill has passed? Does he know that the honorable member for Kaiapoi introduced it, and that the honorable member for Kaiapoi was his colleague? Does he forget that? I think it would be much better for him to remember these things than to go to Roman history. The honorable gentleman now states that he is not going to follow his leader. There are very good reasons for that. We have heard it stated that this late Government, that had far-

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seeing designs, that possessed statesmanship, that could look into the future, have met amongst themselves, and, when a question of policy such as this came up, resolved to make the question of policy an open question. Was anything so absurd ever heard of in the annals of Parliamentary history? The policy of the Opposition is to be an open question, and the only decided question is that they must get into office at all hazards. Why did not the colleagues of the honorable member for the Taieri come down with a direct vote against the financial proposals of the Government? Why did they not do that, and go to the country upon it? A very different attitude was taken up by the Provincialists in 1875, the honorable member for the Taieri himself being one. We Provincialists knew in 1875 that we were in a miserable minority. Did we come down to the House and say, “Gentlemen, we have made the question of Provincialism an open question; we will do our best to get on the Treasury benches, and will leave that question to settle itself”? No. The Provincialists in 1875, though not one-third of the House then, stood up and fought the Bill in all its stages. Those Abolitionists are now beginning to dread the mischief they have brought on this colony. What right have they to talk about the colonialization of the Land Fund? Who have brought about this long session—these shoals of private Bills, dealing with trumpery roads, and atheneums, and reserves, many of which would never see the light in a Provincial Council or would be kicked out if attempted to be introduced? Why, this very party with which the honorable gentleman has allied himself—the Abolition party. Now, when the evil has come upon them—when they begin to see that they have done mischief and wrong—when they begin to see that their far-seeing policy has turned out a failure—they turn round upon the Provincialists and say, “You are doing all the mischief.” I say it is caused by those who advocated Abolition. And who is to blame for Abolition being carried in this colony? The Province of Canterbury is to blame. If that province had shown any desire to work together with the Provinces of Otago and Auckland, Abolition would never have been carried. Hardly a member was returned from Canterbury who was not obliged to go to his constituents and pledge himself to Abolition. And now I am told that the honorable member for Christchurch (Mr. Stevens) has been making a critical speech on finance, and says that something very terrible is going to happen. Why, it is he, and those who worked with him, who would have nothing but Parliamentary government for New Zealand, who have brought about the whole evil. They cried aloud for national life, which was to be the safety of New Zealand. Sir, they have got their national life—their long session, their myriads of private Bills, and a colonial Land Fund; and I hope they do like their national life. Sir, I hope that they will be satisfied with it; and the only thing I regret is that in this struggle they have done—what? Why, Sir, they have made an alliance in order to save their runs. When the run question came on,

to be decided, who were the whips whipping up for their runs? Why, they were the Opposition whips. They made it a party question, although the same honorable members, and the honorable member for the Taieri himself, got up and said that this question of the runs should not be made a party question—that it was not a party question. And yet they blamed this Government for being a runholding Government. The honorable gentleman has warned the honorable members from Otago that they would permit a great injustice to be done if they consented to this proposal. Sir, I believe that Otago has been unfairly treated in all the financial arrangements made since 1870. I believe that the Abolition Act of 1875 was a gross wrong to the people of Otago, and I say that, if the whole of the people of Otago had been of my mind, and had taken up the firm ground that I, along with others, took up, I believe that those wrongs could not have been imposed. What did they do? There were some members who supported Abolition; but there were other members who, even after Abolition was accomplished, attended the meetings of the Convention held in Otago—a Convention such as was never before seen in New Zealand. There were at that Convention old settlers who, at great expense to themselves, had come to Dunedin; there were a collection of representative men such as had never before been seen in any town in New Zealand. What did these men propose? They proposed two things. Looking at the rights and privileges which had been destroyed as most sacred, they said that—since Canterbury wanted separation from the other provinces of the Middle Island, since she would not have any alliance with Otago, for everything in Otago was ruin to them—the settlers of Otago would soon have a colony of their own. That was one proposal they made. The other proposal they made was this: That, as the Governor of the colony had acted in a partial spirit, they asked his removal. These are the two things for which they petitioned. Sneers have been made, and those sneers appear in *Hansard*—sneers have been made by the honorable member for the Taieri himself at the action of that Convention. I say that that was the only way for the people to act. It showed that the people of Otago considered the action taken in 1875 was the proper action, and that the proper course would have been to have fought that action to the end. If that had been done, and if a firm front had been shown in 1876 and 1877, as was shown in 1875, I believe great good would have come to the colony. Instead of that, we find members upon whom great reliance was placed leaving their party; and now they begin to complain of party action. I believe that if we are to have true Parliamentary government we must have party action. The only hope of Parliamentary government in New Zealand is that there shall be firm party lines drawn, and that members will look to their leaders and be able to follow them, and that the leader will also watch that he does not go beyond the opinion of those whom he leads. That is the only alliance that there should be between a leader and his fol-

lowers. Both parties ought to have confidence in each other, and the members of the party ought to be able to follow their leader in his proposals. There would be an end to Parliamentary government in this House if we did not do that. Then the honorable gentleman commented on the conduct of the Middle Party. He has likened that party to Curtius, and I thought he was alluding to the honorable member for Nelson City, who was the true representative of the hero in Roman history referred to. If we are going to have a Roman simile, I would ask what the honorable member for the Taieri and others have done. They seemed to have jumped into the chasm, and never to have got out again. What right has he to find fault with the Middle Party? Is it not a fact that five or six members of that party voted against him and the Government with which he was connected, and said they had no confidence in him and his colleagues? What is the honorable member for Avon? Was not he one of those who voted that they had no confidence in the Atkinson Ministry? And the next time he voted on a want-of-confidence motion against the present Ministry, where was he found? Voting against them. Then there is the honorable member for Nelson City (Mr. Curtis): was not he in the same position? There are other honorable members whose names I might mention, but I will not go further. It is not fair for the honorable member for the Taieri to find fault with them. Does he mean to say that the honorable member for Avon, who is now allied with him, has acted improperly? If so, how does it happen that they can now agree so well in their general policy? I say that the speeches which have been made on this Financial Statement have been speeches of a twofold character. They have been speeches like carping leading articles, mere criticisms of figures, and they have been speeches specially addressed to the constituents. The honorable member for the Taieri is afraid of the position in which he will stand through the report of some unknown newspaper correspondent, and therefore he has spoken to his constituents through *Hansard*. I say to him, if he sincerely desires to have a liberal land law, let us see how he will vote. If I were to ask the House to reconsider the question of the Canterbury runs, would he vote for that?

Mr. REID.—No.

Mr. STOUT.—I say to him, if he has a liberal idea of dealing with the lands of the colony, let him show it by his vote. Let him come down and vote, and, if he likes, let him have a true agrarian law. Let him decide that no man in this colony shall be allowed more than a certain number of acres, unless he pays a very heavy tax for it. Let him propose that the larger the estate a man gets the larger the tax he will have to pay. Is that his liberal view of the matter? The honorable gentleman complained that the present Government did not propose a tax on income and property. If he thought that taxation was so necessary for this colony, how does it happen that his Government did not propose it? They had ample time to consider it before they prepared their Financial Statement. There is no

word of such a policy of taxation. The honorable member points to the Financial Statement.

Mr. REID.—Page 8 of the last Statement.

Mr. STOUT.—I refer to the first Statement. The honorable member for Egmont has made so many that I cannot remember them all; but I shall take his last Statement. What does he propose about taxation? Sir, he says this: "The present is a time when the country should not be troubled with questions as to the incidence or the specific character of our taxation." According to his Statement there was to be great political rest. He goes on to say,—

"Before long, when our new institutions are consolidated and our railway system has been developed, we shall be able to face the question of new taxes, if any are needed, or to discuss calmly the principles on which taxation should be raised, and the manner in which such principles should be practically carried out."

What did that mean? Why, it meant that there would be no new system of taxation proposed by the Atkinson Ministry at all. Then the honorable member says taxation is necessary for the colony. I say that the best tests of what a man's opinions are are his votes and actions. I do not care what a man says, if he does not vote rightly. I do not care what he says about taxation or anything else, if he is found opposing a system of taxation. I say that, so far as the late Government are concerned, they have no fixed views on the subject of taxation. They are what I may call the "big-squatter" Ministry. The honorable member for the Taieri knows well that their instincts are squattocratic in every way. What was their proposal in regard to Native land? Was not that playing into the hands of big land speculators? What are their financial proposals this year? Have they really desired to make the taxation of this colony fall upon the rich and those able to pay it? If so, instead of coming down with such proposals as they made, they would have come down with a well-defined scheme of taxation, and asked this House to assent to it. They would have done more: they would have said, "If the Opposition do not choose to accept our proposals for taxation, we will go out of office; we will appeal to the country upon this great question." I say that if we go through any of their financial proposals, we shall see that there never has been a back-bone in them; they have been shifty in the highest degree. They have never been the same for one month. They talk about a policy: so long as they had a following in this House, they did not care anything about principle at all. I say they ought to have come down with well-considered proposals, and to have said to the House, "If you do not accept our proposals we will go out of office." When this Ministry comes down and says, "There are our proposals; we will go out of office if our financial proposals are not accepted," I would like to know what position the Opposition took up with regard to them. They say that the policy of the Government is an open question. That is miserable Parliamentary government. It is entirely opposed to the view taken of Parliamentary government by an able writer in England,

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who characterizes party fight as a generous love of office for the sake of the country—to carry out the principles and policy approved by the people—not a policy that is to be cast aside as useless, not that assaults are to be made on the Treasury benches simply because you do not like the men, but because the policy is wrong. I say that if such a course as that pursued by the late Government were allowed you would put an end to all Parliamentary government. I do ask this House that when the Bills of the Government come before them they will show by their action that, if there is to be Parliamentary government, it shall be carried on fairly and impartially. Let the honorable member for the Taieri lead one wing, and let the honorable member for Egmont lead the other wing, and let us have true party action. And, if we are to have great parties in this colony, I believe the platform on which the several parties will rest and take their stand will be the question of taxation and the dealing with the land. Those are the questions on which this country will be called upon to decide, and I say that when the land question comes to be decided, if the honorable member for the Taieri has any liberal land views, and I believe he has, he will have to dissociate himself from his late colleagues in the Government. He will have to come to our side and vote with us if he wishes to see anything like liberal principles carried. I do not despair of the honorable member. I believe that he will yet be found opposing the views held by his late colleagues. They were Conservative and Tory in the highest degree. The people of this colony believe that there may be some liberal policy introduced. We have seen what a liberal policy is doing in Victoria. The feeling there is not one in favour of Tories or Conservatives. I say that if the Tories in Victoria had not had such power in the past, when eminent men like the late Wilson Gray defended a system of proper dealing with the waste lands of Victoria, they would not have the bursting up of large estates that is going on now. They did not take the matter up in time, and the result is that the reaction has become exceedingly great. I believe that it will be so in this colony. I warn the big proprietors that if they wish to have a fair and liberal policy, and not a radical policy in the highest degree, it is best for them to yield soon, and to yield gracefully. Sir, I will not take up the time of honorable members any longer in referring to the honorable gentleman's Statement. I hope that when the Bills are brought down they will be discussed entirely on their merits. I will not go further into the details to which the honorable member has alluded.

Mr. MONTGOMERY.—Sir, I did not intend to speak upon the present occasion at all. I wished to see the Bills embodying the policy of the Ministry before the House, previous to my addressing myself to the question; but, as the Hon. the Native Minister has said that he wished an expression of opinion on the policy on this occasion, and that such expression of opinion would be held to be decisive, I wish to say a few words upon the subject, so that I may not be misunderstood—so that, in point of fact, my silence

shall not be taken as an unconditional acceptance of all points of the Government policy. I shall not detain the House very long, but the question is of such magnitude that I wish to put my views as clearly as possible before the House. I wish to say, in the first place, that this House must acknowledge that the Ministry accepted office at a critical time, at a time when there was a deficit staring them in the face, and at a time when they were compelled to bring forward a Financial Statement, although there was a great deal of departmental work and the business of the session going on concurrently. I think they should have met with a generous forbearance under these circumstances. But I am sorry to say that the gentlemen who composed the Government recently in office acted in an exactly reverse manner. I regret it for the sake of fair-play and of the good feeling which ought to exist in Parliament. I am sure they have lowered themselves, in the opinion of this House at any rate, and I believe, also, in the estimation of the country, by the action they took. The question now is as to how we got into this condition—who is the party to blame. It must be very patent to all that it is the party who were last in power. We have been pursuing a course for some time which was the very reverse of sound policy. It was a system of providing revenue and providing for deficiencies by means of Treasury bills, which we were quite sure could never be met out of the ordinary revenue of the colony. These bills must inevitably be added to the debt of the colony; and when the present Treasurer stated that we were living outside of our current income, and that we required to borrow money to meet current expenditure, he was stating that which was perfectly true, and, if any honorable gentleman thinks we are doing better for the country by concealing the truth, I venture to say that he is in error, and that it is much better to be straightforward and to tell the truth respecting our financial condition, no matter what is the consequence. Whether the public creditor in England may lend us money more readily or not, we are doing justice to ourselves in stating honestly what is the financial condition of the country. The late Treasurer, when he made his Statement to this House, told us his was a far-seeing finance, and that it was true and honest; he told us there would be no additional charges on the Land Fund—yet he proposed this year to take £58,000. But worse than that was his proposal to borrow £109,000 to be a charge against the Land Fund of Otago, and £38,000 taken from the consolidated revenue last year, in all £146,000, and then to tell us that he had a surplus. It was under these circumstances that the present Ministry took office, and I will ask honorable members if it was a pleasant thing to take office under those circumstances, or a very easy thing to take office with a deficit. They had these difficulties to face, and they have faced them in a way which, though I do not altogether agree with it, I regret very much they found themselves obliged to have recourse to, and which has something of the appearance, as the Native Minister says, of high-

way robbery. Still, the course which they have adopted has the merit of being bold, which the pilfering action of their predecessors was not. Their policy—the policy of the former Government—was just that of playing the part of the friend to the provinces while robbing them. The honorable gentlemen, members of the present Government, had these difficulties to meet, and they have met them by proposing to appropriate the land revenue, less 20 per cent. for local works. They do not state very clearly whether that 20 per cent. is to be on the gross receipts, or after all charges have been paid: there is a great difference between these two ways of giving it, and I wish to see that point cleared up before I give my assent to the policy of the Government. I wish also to see cleared up the point as to whether 20 per cent. is the proper amount. I suppose I shall see all this when the Bills come before the House, and then I shall finally decide what course should be taken so far as I am concerned. I wish now to say a few words in answer to something which was said by the honorable member for Waikato. Had he been present I should have taken the opportunity of saying something about the honorable gentleman himself, but as he is not I shall refrain. But I wish to answer something that he said. He stated that I and others criticized Financial Statements, but that we never gave forth policies ourselves. Sir, it is not the business of a private member of the Opposition to shadow forth a policy. Whether I had one or not is a different thing; but I may state this: that in 1875 I did express my opinion as to what I thought should be done, and what I said then, except allowing for the altered circumstances, I adhere to. If honorable members would not regard me as trespassing too much on their good nature I would like to read an extract from *Hansard*, so that the House might see what I said then. Looking at the difficulties then staring us in the face, I said, on the 2nd September, 1875,—

“I am looking at this matter entirely from a colonial point of view—just as much so as any honorable gentleman who is supporting the Government—and I say that we must treat Auckland in the same way that a nation would treat one of her frontier towns, and take care that it is as well governed as if it were the centre of the nation. The colony must take over the whole of the provincial indebtedness of Auckland. There is no use blinking the question, and attempting to smooth over the difficulty by crying ‘Peace, peace,’ when there is no peace. Treasury bills being issued will only stave off the difficulty, and, instead of placing Auckland in an independent position, will place her in the position of a mendicant. Why should she be in this position, when she contributes £310,000 annually to the colonial revenue? I hope this House will set its face firmly against that, take a different view financially of the necessities of the country, and treat Auckland just as we would treat any portion of either of the provinces, and see that justice is done. I say we should take over unhesitatingly the whole of the provincial liabilities of Auckland.”



land. Her Land Fund, whatever it is, should go to make her roads and bridges. And we should do the same with Westland. If we do, what happens to the rest of the provinces? They will say, 'We are not going to pay the interest on our provincial debts if others are to go free.' Sooner or later it will come to this: that we shall have to take over all the debts of the provinces, except those debts which are provided for by specific security. That is my impression. Holding these opinions, I wish the House to consider why they should not do that now. If the Land Fund is to be preserved for those districts where it is raised, and not to be swept into what my honorable friend the member for Port Chalmers described as the vortex of colonial finance, we shall have to do that, and we shall have to impose taxation."

And further on I said,—

"Why should those men who have immense estates, the value of which has been doubled or trebled in consequence of the railways and immigration, be exempt from taxation even for one year? Why should the great mass of the people be taxed, and those escape? I protest against the cry of 'the poor man and the rich man.' I understand that the labouring-man possesses capital in his thews and sinews, and his intelligence, while accumulated property is capital of another kind. Therefore I am not going to talk about the poor man being oppressed. I hope he will not allow himself to be oppressed. But there is a great class in this country—the landholders—who are benefitting immensely from the railways and immigration, and they should have a tax put upon them, and it should be imposed at once."

Now, whatever we do with our finances, as far as my judgment goes nothing will save this country, nothing will provide for the deficit, but taxation; and that will do two things. It will supply sufficient revenue to meet the deficit, and at the same time induce economy. It will make this House economical, and it will make the Government economical. When the Government came down with their proposals I hoped to see that they had been able to "make both ends meet," but after going through their figures I believe there will be a deficit of between £200,000 and £250,000, which will have to be met by borrowing money, by the issue of Treasury bills, or by taxation. I will offer a suggestion on the question of taxation by-and-by; but I wish now to state my views about taking the Land Fund. I cannot disguise from myself that there is a very strong feeling in the House that the Land Fund should be made colonial revenue, except a certain amount which should be deducted for making roads and bridges in the districts whence the revenue is derived. But it would be out of the question to expect members from the South—myself amongst the number—to give up the revenue derived from land for which our people are paying £2 an acre, if land is to be given away in other parts of the colony, or only 5s. or 10s. an acre to be charged. Therefore, concurrently with this colonialization of the Land Fund, there must be uniformity of price through-

out the provincial districts of the colony. In Victoria there is a system of free selection and deferred payments, and of sales by auction at £1 an acre. Here we have a great many systems. I cannot believe it is a good mode of settling people on the country to put them on inferior land, and to take the money derived from the sale of good land to make roads and bridges to the inferior land. The people should first be settled upon the best land in the colony, and population, as it increases, will naturally overflow on to the second-rate and third-rate lands. Therefore I hope the Government will consider that, whether they adopt the £1-per-acre system or not, they must have one land law from one end of the colony to the other, as they have in Victoria, New South Wales, and South Australia. Since 1856, the various provincial districts recommended to this Assembly whatever land laws they thought best, and the General Assembly, considering that the provinces were to provide for the colonization of the different districts out of their own funds, accepted that which the Provincial Councils recommended; but then they were dealing with their own land, and the proceeds of the sale of that land was theirs. But if you are going to take the Land Fund from the provincial districts, you must not allow the provincial land laws to remain as now. That would be manifestly unjust. I am aware that the price to be charged for the Crown lands is a question that is exercising the minds of many honorable members. My impression is that in those parts of the colony where free selection prevails the present price might be maintained; but the auction system at £1 an acre should also run concurrently throughout the colony. It would not be wise in a man who looked forward to getting into place and power to put forth a policy that could be carped at and objected to; but, as a representative of the people, my duty to the House and the country demands that I should state my views plainly, and I hope other members will do the same. Having said that, I must say that the honorable gentlemen on the Treasury benches have not declared themselves so boldly on the question of taxation as they should have done. The Land Fund will not provide the means to meet all demands upon the Treasury this year; and I say that you will never have a careful and prudent system of finance without direct taxation. I know that it may be considered a very difficult thing to devise a system of taxation, and that there is not time to do it this session. Four months of the year have passed away, and the session is drawing to a close. But there was a system of taxation adopted, I think, in the Province of Wellington, which imposes a school-rate of ½d. in the pound; and the system of direct taxation on property is in force in the United States of America, a nation which understands the question of taxation, and which has set a noble example to other nations by the way in which it is paying off the debt incurred by the war. Now it seems to me that it would not take a long time to devise a scheme which simply involved the levying of a rate of ½d. in the pound upon property. That would produce

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probably £150,000 to £200,000; it would be easy of collection, and it would be far less objectionable than an income-tax. I throw out the idea for what it is worth, but, whatever course my honorable friends on the Government benches may adopt, I hope they will adopt a system of finance which will not leave a deficit to be met by borrowing. This new system, proposed by the Treasurer, I understand is not to come into force until the end of December, and I wish to show, because we are speaking not only to the House but to those outside it, that the amount proposed to be taken from Canterbury for the half-year is £74,000. That is to be taken in the manner described by the Native Minister—in the “bold highwayman” style; but the other gentlemen who preceded the present Government would pick the pocket of the province of £58,000 in the most friendly manner. As far as this year is concerned, I do not think the amounts proposed to be taken by the old Government and the new are very different, but the principle is different; and if the Land Funds of Canterbury and Otago are to be used in other parts of the colony, where land is given away for a few shillings an acre, great injustice will be done. Having said so much, and wishing to give no uncertain sound in this matter, I may say this other thing in conclusion: Members of this House are placed in a rather difficult position. We have a Government here in which we have hopes, a Government in which those who give their support believe very largely, and yet it is bringing down a policy which we do not believe in in some respects. But, while I say that, I must also say that we have an ex-Government in which we had no confidence whatever, a Government that we can have no confidence in. They are men who have made promises and have not fulfilled them; and they have done worse—they have made promises and broken them. They said they would come down here this year with a carefully-prepared Statement, which was a matter of immense importance, showing the expenditure on public works and the amount required to complete our railways. But, instead of that, we are landed in this miserable position: that we have no knowledge whatever of the amount of money required. We cannot go into the money market now and say how much we require to complete our railways. We know no more about it than if we had dropped here suddenly from the other side of the world. We know the gentlemen at present on those benches; they have our confidence, and we trust to see them remain there. Now, Sir, I wish to say a word or two with respect to the amount of money my honorable friends wish to borrow. They are not quite so clear upon that matter as I would wish them to be. I think they are asking for more money than is necessary at the present moment, but I am happy to say they do not labour under the delusion that they will get this money so easily as the late Colonial Treasurer thought he would by means of inscription of stock. Why, Sir, he looked upon that as the inexhaustible bottle of the conjuror. He thought you had only to inscribe the stock, and the people would hand

in their money as rapidly as you liked. Now it happens that if you want to raise a loan in London you must name the sum you wish to raise, no matter whether you inscribe your stock in the books of the Bank of England or not. Whether you ask people to subscribe your loan at a certain fixed price, whether you put it in the hands of an agent to raise, or whether you invite tenders for it, it is just the same—you must state definitely the amount of the loan. The inscription of stock is of little or no importance. By inscribing your stock you are merely registering it as a person registers a title-deed. But, though no gain is obtained by inscribing your stock, it costs something to do it. Holders have to pay a duty of 2s. 6d. on each £100 for transfer. Therefore holders do not get whatever benefit there may be by the inscription for nothing. It is altogether incorrect to say that the inscription of stock raises the credit of a colony. The New South Wales Government have not got their stock inscribed, and yet their credit is good, and they only have to pay 4 per cent. for the money they borrow, while we have to pay 5 per cent. I wish to point out that the proper way to get credit in the London money market is to show an honest Financial Statement, and to show that we really have a surplus; and, further, to show to the London creditor that the colony is in a sound condition. I have come to the conclusion that this interception of Supply has only been caused by the anxiety of the late Colonial Treasurer to speak to the country. He did not say distinctly that his party would not allow the Government to obtain supplies. They dare not try to do that, because they know they have not a majority in the House. They know that by their mismanagement, by the want of that which the honorable member for Waikato the other night stated was of such value, by the want of brains in fact, they have sunk in the estimation of their friends and the country. When I saw the late Premier and Colonial Treasurer standing up in this House and disobeying Mr. Speaker I was grieved. The House felt strongly on this subject, and it will be a very long time before the honorable gentleman recovers his lost position. He, of all men in the House, was the one who should have shown the greatest respect for the Speaker. In conclusion, I trust that the Government will agree to a reasonable modification in their financial proposals, and I believe they are disposed to give attention to the wishes of their followers in this respect.

Mr. ORMOND.—Sir, when the honorable member for Akaroa addressed the House just now, it occurred to me, and I dare say to other honorable gentlemen also, that there was some reason for the action taken the other night by the honorable member for Auckland City East and the honorable member for Dunedin City (Mr. Stout) in desiring that this debate should be brought to a conclusion, for I can quite understand that those honorable gentlemen desired that the speech we have just heard should not be made. I am sure that those honorable gentlemen and the Government could not have desired that that speech should be made, for the honor-

able gentleman in the course of his remarks has told the House distinctly that he has the greatest possible doubts in the Government he is supporting.

Mr. MONTGOMERY.—I never said such a thing.

Mr. ORMOND.—I took notes of the honorable gentleman's speech. What he said was that that was a Government which he desired to have hopes in.

Mr. MONTGOMERY.—I said it was a Government that I had hopes in.

Mr. ORMOND.—Well, I do not object to that qualification of the remark. The honorable gentleman went on to say that he did not altogether approve of the policy of the present Government, and that he entirely disbelieved in the policy of the late Government. It was perfectly easy to see what would follow. The Government that my honorable friend would have believed in was such a Government as he once hoped would be chosen from the Middle Party, and of which he would be chief. He has said other things which have led members on this side of the House to conclude that the links which bind him to the present Government are by no means strong. He has told us that he is waiting to see what measures the Government intend to bring down. He has sketched out what in his opinion the Government must approve before they can rely upon his support. Among other things, he has said that the Land Bill must provide a uniform price for land throughout the colony. Well, if that is the price the Government have to pay for the honorable gentleman's support, I say that before they get that support they will alienate one-half of their present followers. I do not think they will ever agree to such a dogma as that.

Mr. MONTGOMERY.—I did not say that there should be a uniform price for land throughout the colony. What I said was, that there should be a uniform land law for the colony, an upset price at auction, and a fixed price and free selection.

Mr. ORMOND.—I think that comes to about the same thing. I know something about the North Island, and also some parts of the Middle Island, and I say that a uniform price for land is an impossibility. In many parts of the colony it would mean the absolute stoppage of settlement; and any Government which would bring down a proposal to make the price uniform would not occupy their seats on those benches very long. I shall refer to other points in the honorable gentleman's speech later on. Now, in the speech which the honorable member for Dunedin City (Mr. Stout) made, it appeared to me that all the honorable gentleman desired to do was to repel the attacks of my honorable friend the member for the Taieri, and, so far as he was able, to justify himself for the action he is now taking in regard to this question. He appeared to me to be trying to free the Government from the charge made by the honorable member for the Taieri, that it was a Government supported by squatters. That assertion ran through my honorable friend's speech. Through the whole of his remarks there

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seemed to run a fear that the Government on those benches should be thought to be supporting squatting interests. I do not know what my honorable friend's motives were, but we all know that one of the members of the Government is a gentleman who is greatly interested in squatting. The Colonial Treasurer is the gentleman to whom I refer, and he is interested in squatting to a far greater extent than any other person in this House. He is the representative of the largest landed proprietor in New Zealand—that gigantic investor in land known as "Big Clarke." The honorable gentleman seems to think that it is his business to go against anything which is opposed to the squatting interests. My honorable friend has said that the present Government have been put in office through the influence of the squatters; that, in fact, the interests of every large squatter in the country were exerted to place them on those benches. Why, Sir, it is a matter of notoriety that amongst the most urgent whips in the lobby were gentlemen having the squatting interests at heart, and I suppose they must have good reasons for wishing to keep those gentlemen in their present positions. We know that the honorable member for Dunedin City (Mr. Stout) holds peculiar views of his own on the land question, and possibly he hopes that those views will be supported by the Government. To go back to the debate in which we are now engaged, it appears to me that the position of the debate now is very much the same as it was when my honorable friend the member for Egmont finished the excellent speech which he delivered a few nights ago. There has been no progress whatever made. The exposure which he so freely made of the financial proposals of the Government has in no way been answered by the other side, and there has been no attempt to answer it. My honorable friend clearly showed to this House and to the country that the financial proposals of the Government displayed large deficiencies which they had not provided for. The speech of the honorable member for Egmont ought to be known from one end of the colony to the other, for I feel certain that his speech will be read by every person in the colony who takes an interest in public questions. He has exposed numerous errors; he has shown that the present Government propose to provide for provincial liabilities which are no liabilities at all; he has shown that they are proposing to borrow money—four millions—which sum is not required; and he has shown that it is not in the interests, but absolutely opposed to the interests, of the colony that a loan for such a sum should be allowed to be borrowed. I shall not pretend to follow my honorable friend in the arguments and figures he brought forward to show the deficiencies which the Government finance disclosed, for there has been no attempt to answer them. They exist; there is no doubt about them; and it would be simply wasting the time of the House to refer to them further. But, Sir, I shall enter my protest against the proposal of the Government in respect to making provision for these provincial liabilities. And when these proposals come down I shall, and I hope my side

of the House will, endeavour to prevent the Government from inflicting any such injury upon the country as to pay those liabilities out of the consolidated revenue. We are a strong party, strong enough to see justice done to the colony, and we shall see justice done in this matter. What are these provincial liabilities? The honorable member for Christchurch City (Mr. Stevens), in his speech to-day, gave details of those liabilities, and so the House can understand of what they are made up. I ask honorable gentlemen, on whatever side of the House they may be, whether most of those things can properly be called provincial liabilities.

Mr. MACANDREW.—They are your own estimates.

Mr. ORMOND.—The honorable gentleman is entirely mistaken. They are made up largely of the bogus Estimates of the honorable member himself—the present Minister for Lands and the late Superintendent of Otago. Items were placed on the Otago Estimates by him which he knew there were no funds to meet. The honorable member for Egmont very clearly told the House what was the connection of the late Government with those liabilities. He had obtained from the various provincial officers returns of outstanding votes unexpended in past years, and estimated for by the Superintendents, which had not been spent. Any honorable member who has taken part in provincial administration knows that every year many votes passed by the Provincial Council were not required and were not spent. However, that was not the category in which these provincial liabilities stood. They were largely made up of bogus Estimates framed by the late Superintendent of Otago.

Mr. MACANDREW.—There was responsible government in Otago at that time.

Mr. ORMOND.—The honorable gentleman is himself responsible for them.

Mr. REES.—Mr. Reid.

Mr. ORMOND.—I do not care if that is so, though I do not agree that it is correct. But I say that a Government sitting on those benches, having regard to the interests of the colony, has no business to impose those bogus Estimates on the colony. We on this side of the House will see that those items are properly looked into, and that the colony shall not be forced to pay for services which are not required, and upon which colonial money should never be spent. The honorable gentleman is entirely wrong in stating that those are the Estimates of the late Government. They were simply the outcome of instructions to the Provincial Auditors, who sent them up. The Government intended to go over those items very carefully in Cabinet, and to strike out all that were unnecessary. I say deliberately that, out of the whole of the items, I do not believe we should have brought down £20,000.

Sir G. GREY.—I rise to make a personal explanation. The Estimates were left printed in the office by the late Government, as their Estimates, and were handed over to us as such by the proper officers. They were all printed and in order.

Mr. ORMOND.—Of course they were printed, in order that they might be considered. The Supplementary Estimates are prepared in exactly the same way, and honorable gentlemen who have taken any part in the government of the country know that that is the ordinary course taken. There is another matter to which I hope my party will turn their attention. That is the proposal of the Government to borrow four millions of money. I entirely agree with the honorable member for Egmont that it is diametrically opposed to the interests of the colony that we should go into the money market at the present time to borrow such a sum for such purposes. A good deal has been said in the House upon the Inscription of Stock Bill, and the honorable gentleman who spoke last threw it in the teeth of our side of the House that we looked to the Inscription of Stock Bill to do great things. I am not going to enter upon that question at any great length, but I will say that we do believe the Inscription of Stock Bill is capable of being used with great advantage to this colony. That opinion is shared by other colonies. The honorable gentleman has not definitely told us what the Government intend to do with the Inscription of Stock Bill. At first the Premier came down and told us that it was the intention of the Government to take up that Bill. However, I understand by a later reference that they have reconsidered the matter, and do not propose to take up the Bill. If that is the case I say that a great injury will be done to the colony. Whether it is so or not, it will not affect my opinion and the opinion of many others as to the advisability of authorizing the Government to raise four millions at the present time. In my opinion it will be adverse to the interests of the colony to go Home to borrow four millions, and to say that two millions of that amount are required to meet floating liabilities. I do not think it will improve our credit. The proposals of the late Government contrast very favourably with those of the present Government in that respect. We proposed to ask for a loan of two millions, and that would be ample for all the purposes for which we desired to provide. Even under the proposals of the present Government, not more than two-and-a-half millions are required. Probably two-and-a-quarter millions would suffice. It would have been much better for the Government to have adopted our policy in that respect, as they have in nearly everything else. It would be much better for them between this and next session to prepare reliable estimates and plans for the completion of the main trunk lines of railway, so that they might be in a position to go to the Home market and say, "We want so many millions to complete these public works." The late Ministry had reason to believe that if that course were adopted—if we could satisfy the lender at Home that the money was wanted for purposes which were sure to be reproductive—not only would the credit of the colony not suffer, but we should get the money on very favourable terms. If those honorable gentlemen attempt to carry out their proposal to borrow four millions for a temporary purpose, without any general plan to put before the lender, they will go into the money market at

a ruinous sacrifice. It will be the business of this side of the House to see that their borrowing is restricted to such a sum as the colony requires, and if they wish to remain on those benches they will have to conform to the wishes and determination of this side of the House on that question as well as upon others. The next point to which I wish to refer is in connection with the Supplementary Estimates. As I was the Minister responsible for the preparation of those Estimates, I should like to state to the House how they were prepared. In doing so I must follow the honorable member for the Taieri, and refer to the communications of "own correspondents" sent about the colony. After I went out of office telegrams were sent all over the colony under the heading, "Monstrous Jobbery and Corruption," and were to the following effect: "There has been found in the pigeon-hole of the Minister for Public Works a detailed statement of roads and bridges which were promised by the late Government to their supporters for the purchase of their votes." The present Government say they know nothing of those correspondents; but I should like to know how those correspondents knew anything about the Supplementary Estimates at all long before they came before this House. Now let me tell the House how those Estimates were prepared. During the session many honorable gentlemen of this House and of the other branch of the Legislature came to me when I was Minister for Public Works, and laid before me the wants of their respective districts. I had the honor to receive yourself, Sir, and also the Hon. the Speaker of the other branch of the Legislature; also a very large majority of the honorable gentlemen who sit on the opposite side of the House, and who then composed the Opposition; and I also received a great number of the friends of the late Government. My practice was to take down the requests laid before me by those gentlemen, and to make a schedule of them; and that schedule was the Supplementary Estimates which the Government have now brought into the House, and have been good enough to recommend. My colleagues were in no way responsible for those Supplementary Estimates; but I am bound to say that I think nearly every item, if not every one, represents a work which is calculated to contribute largely to the advantage of the country, and I am glad the Government have seen their way to provide for those works. That is the history of the Supplementary Estimates. The Hon. the Premier will now see that it does not follow that, because the sheets are printed, they are left there as the Estimates of the late Government. The next point of which I made a note is in reference to an item for which the Government have thought proper to provide. I refer to the £117,000 for outstanding claims; and I allude to this because I understood that the other night, when my honorable friend the member for Waikouaiti was speaking, the Premier said the Government did not assert that these were matters they had to provide for, or that they were in any way committed to them. I have here a copy of the speech which he made, and which he has circulated through-

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out the country, in which he refers to that question. He says,—

"Then there is another amount which must be brought under the notice of the House, and that is, claims, of which the House has never been informed, for extra works and other contracts for railways amounting to £171,237. It may be urged that the whole of that amount may not be found to be due and payable. I have only to say that the very first item contested, £800, was found to be wholly due, every penny of it; and I believe that nearly the whole £171,000 will be required, or, at any rate, that there will be a heavy charge against the colony on this account."

Well, I have a much better knowledge of what these claims are made up of than the Premier could have had when he made that speech. It is very unfortunate for the colony that the honorable gentleman should have gone so far in admitting claims which, I say, are most of them monstrous. My honorable friend the member for Christchurch City (Mr. Richardson) is well aware of what the main bulk of those items is composed. They are claims of the Messrs. Brogden, claims under which those gentlemen desire to take advantage of the terms of a contract, and to be paid for works which they never executed. These are the kind of works which the Premier tells the colony will have to be paid for. It is a significant fact that the firm of Messrs. Brogden and Co. have been strenuous supporters of the Government, and have been largely instrumental in placing those gentlemen on those benches.

Sir G. GREY.—I appeal to you, Sir, whether it is right that a statement of that kind should be made. It is absolutely false—

Mr. ORMOND.—It is true.

Sir G. GREY.—The statement is as false as any words ever uttered by any one—as false as his other charges against me were.

Mr. SPEAKER.—I think that the question is scarcely one for the Speaker to decide. A very grave charge has been made, but the language used was not unparliamentary, and the responsibility of making it must rest with the honorable member who made it. At the same time, the honorable gentleman who is now in possession of the House is quite aware that it is not only Parliamentary, but absolutely necessary for the due and proper conduct of debate, that, when an honorable member against whom a specific charge has been made rises in his place and denies it, the charge ought not to be repeated. The honorable member may move for an inquiry to sustain his allegation, if he thinks proper, but in a courteous manner he ought to accept the denial. I am sure the honorable member will feel that in doing so he is conforming with the usages of Parliament. I cannot say more on the subject. I think that the honorable member should accept the denial when made by an honorable member rising in his place in the House.

Sir G. GREY.—I rise to make a personal explanation. The charge against me is—

Mr. ORMOND.—I made no charge.

Sir G. GREY.—The charge made against me is this: that I stated to the House in my place

that certain claims would be in a great part established, because one of them had been established. Now, I was told, in the presence of this House, that those claims were absolutely unfounded, that I had supported them, and that the fact of my having supported those unfounded claims was attended by the "significant fact," that the parties who had made the claims were mainly concerned, or greatly concerned, in placing myself and my friends on these benches. I ask, in the face of this House and of the country, that a Committee may be appointed to investigate those charges, which I declare to be false and foul.

Mr. ORMOND.—I say it is my opinion. I ask you to protect me, Sir. I deny that I have made any charge against the honorable gentleman at all.

Mr. SPEAKER.—If the honorable gentleman does not retract these words, and the Premier objects to these words, if he wishes they will be taken down, and the House will deal with them. The honorable member will recollect that he has made an accusation.

Mr. ORMOND.—I have made no accusation.

Mr. SPEAKER.—Of course the honorable member can explain his meaning. The charge made against the honorable member for the Thames was, that certain gentlemen had certain claims upon the colony; that he, the member for the Thames, had those claims recognized; and that those gentlemen had been mainly instrumental in placing the member for the Thames on the Government benches. Now, that is a very grave charge. If the honorable gentleman does not accept the denial which the honorable gentleman so charged has given to charges which he says are "false" and "foul," the honorable member can ask for an investigation into them. I say the words applied to those charges were strong, but I must say the accusation was strong. I have pointed out the proper course to be pursued. When such a charge is made and is denied, and the honorable member making it declines to accept the denial, it can be investigated in the way already indicated by the honorable member against whom the charge has been made. It is impossible for the debate to go on if such charges are made, and their denial is not accepted. I would therefore suggest that the course proposed by the Premier is a very proper course to adopt. At the same time, I must say that an honorable member, in denying any charge made against him, should abstain from using language which I cannot say is unparliamentary, but which, at the same time, it is undesirable to use.

Mr. ORMOND.—What I said was this: I read from his speech what he said about these claims. I then said that, of my own knowledge, a very large number of those claims were from the firm of Messrs. Brogden and Sons. My opinion is, that these claims are unjust in every respect. It is a thing much to be regretted that the honorable gentleman so far committed himself as he has here to these claims. He says, "I believe that nearly the whole £171,000 will be required, or, at any rate, that there will be a heavy charge against the colony on this account." I have expressed my opinion. I think I had a perfect

right to do so. I have in no way infringed any liberty of debate in saying that it was a matter of deep regret that the honorable gentleman should have made such a statement to the House in reference to these claims. I went on to say what I believe to be correct. I do not know what part of what I said he denies. My belief is that that firm has used any influence it has to place the Government on those benches.

Sir G. GREY.—That is a distinct statement which is contrary to fact.

Mr. ORMOND.—I maintain that what I say is in no way incorrect, and does not justify the honorable member making use of the language he has done. He should not prevent me from saying what I desire to say. It appears to me that our rules will presently operate so as to prevent us from speaking the truth. At any rate, I am very glad that I have had this opportunity of referring to this matter, because I say the people of the colony will now look after these claims with a very jealous eye—claims the colony had no right to have thrust upon it. This was my object in referring to the subject.

Sir G. GREY.—I rise to a point of order. I think it is due to me that some Committee should be appointed to investigate into this matter.

Mr. McLEAN.—There is no point of order.

Sir G. GREY.—It is a right which every individual has, that when a charge of this kind has been made it should be investigated—that it should be noticed in some way, and some inquiry made about it.

Mr. SPEAKER.—The proper course for the honorable member to adopt is to move that certain words be taken down, when it will be for the House to take any course it may think proper.

Sir G. GREY.—I move, That the words of the honorable member for Clive be taken down.

Mr. SPEAKER.—Will the honorable member be good enough to state the exact words?

Sir G. GREY.—Will the honorable member state the words he used? He said the firm of Messrs. Brogden and Sons were mainly instrumental in placing the Government on these benches.

Mr. ORMOND.—The words stated were not the words I used.

Mr. DE LAUTOUR.—Of course not.

Mr. SPEAKER.—We have an institution connected with this House which I think it would be best to appeal to in cases of this kind. I propose, therefore, if the House does not dissent, to send for the notes of the shorthand writer.

A message having been sent for the *Hansard* notes,

Mr. SPEAKER said,—The notes of the shorthand writer are these: "These are the kind of works which the Premier tells the colony will have to be paid for. It is a significant fact that the firm of Messrs. Brogden and Sons have been the strenuous supporters of the Government, and were mainly instrumental in placing those gentlemen on those benches."

Mr. ORMOND.—I submit that there is nothing in those words which is unparliamentary.

Mr. SPEAKER.—The honorable member cannot now make any explanation of the words.

Does the honorable member dispute the accuracy of the words?

Mr. ORMOND.—No, Sir; I do not.

Mr. SPEAKER.—The question is, That these words be ordered to be taken down.

Motion agreed to.

Mr. SPEAKER.—The honorable member may now make any explanation he chooses of the words.

Mr. ORMOND.—I have nothing to say, except that they are such words as I was perfectly at liberty to use in my position as a representative of the people.

Mr. SPEAKER.—The usual proceeding, when the words of an honorable member have been taken down, is that he should retire, after making an explanation of them, while the House considers what further steps shall be taken.

Mr. ORMOND retired.

Mr. SPEAKER.—The House having ordered the words of the honorable member for Clive to be taken down, it is now for the House to take any further steps it may think proper.

Sir G. GREY.—If the House will permit me, I should like to make a personal explanation with reference to this subject, and my exact position with respect to it.

Mr. SPEAKER.—Does the honorable member rise to make a personal explanation, or does he intend to conclude with a motion?

Sir G. GREY.—To make a personal explanation.

Mr. SPEAKER.—The honorable member can do so, with the indulgence of the House.

Sir G. GREY.—Sir, I beg to say that no single person interested in these claims has ever made any application to me in reference to them; nor could they have had any knowledge that I intended to allude to the claims in this House. It is within the knowledge of the House that the honorable member for Parnell, Mr. Reader Wood, and myself have been friends for many years. Mr. Wood assisted me in investigating the finances of the colony, and he told me that he observed an omission—that he had reason to believe there were claims against the Government, many of which, or several of which, he believed would be established, at least in part; and that a very large charge would probably be made against the colony, which, he thought, would prove, in great part at least, to be a true charge, for which provision ought to be made, and that it was wrong any longer to conceal from the House that these demands existed. I therefore called for a return of those outstanding claims that had been refused. I never even saw the head of the department in regard to the subject. In reply to my memorandum, a return of the claims was sent to me, and, with the exception of my colleagues, I mentioned the matter to no one. I laid upon the table the statement furnished to me by the officer, and I found that the only item in it which had come under the consideration of a Committee of Parliament had been allowed in whole. It was a sum of, I think, £800. That fact, coupled with the statement of Mr. Wood, who told me that he had made some inquiry regarding the subject, satisfied me that large claims would be made

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against the colony. I then made a statement to that effect to the House; but, as I have already said, no person interested in the claims ever applied to me about them, or could even in any way have known that it was my intention to move in the matter. I believe I did not even know to whom the accounts were due. So far from my regarding those connected with the firm of Brogden and Sons as my friends, I should have looked upon them as extremely hostile to me. Indeed, I am not even sure who they are; and when I say that a gentleman who was secretary to that firm, Mr. Holt, was the informant of the honorable member for Clive in reference to one charge which has been made against me, the House will feel that I could not look upon them as persons likely to give me any support.

Mr. STOUT.—I consider the words made use of by the honorable member for Clive not so much a charge against the Ministry as against the majority who placed them in power; and with that view I move the following resolution:—"That this House considers that it is derogatory to the privileges of this House to accuse the members of this House who voted for the motion that was instrumental in placing the present Government in office, of having been induced to do so by the influence of Government contractors; and that as, the words taken down as having been used by Mr. Ormond make such a charge, he be asked to apologize for so using them." Should it go abroad that an outside influence had placed a Ministry in power—especially a contracting firm's influence—it would greatly injure our credit. The charge brought by the honorable member for Clive is not only unfounded, but he must know it to be unfounded.

Mr. REYNOLDS.—I quite agree that when an honorable member makes use of such words it is not only the Ministry, but the members who put them in office, who are implicated, and I trust honorable members will give one another credit for not being influenced by contractors or any other individuals. It should not be allowed to go forth that this House has been influenced by a contractor. It would lower the House in the eyes of the constituencies and the outside world, and injure our credit. I trust that the honorable member for Clive will make an ample apology.

Mr. McLEAN.—I think we have raised a storm in a teapot. It is well known that the representative of the Messrs. Brogden is a constant visitor to the lobbies, and it is well known that he was very energetic in opposing the late Government. That is known all over the town.

Hon. MEMBERS.—Name.

Mr. McLEAN.—Honorable gentlemen who are anxious can go and find out the name. He is constantly in the Strangers' Room in this House, and it is a matter of notoriety that he was, to the best of his ability, endeavouring to get the old Government out of office; and, seeing that the majority which put them out was so small, his influence might have been of some consequence. I do not know that the honorable member for Clive was any more wrong in what he said than the honorable gentleman opposite, who constantly tells the House that the

late Ministry robbed the country to serve their friends. I would like to know if what the honorable member for Clive said was half so strong as that. No doubt a member or representative of the Brogden firm would be anxious to get the late Government out of office, seeing that they have a claim of some £170,000 against the colony which the late Ministry would not recognize. He would know that he could lose nothing by the old Government going out, while it was possible, on the other hand, that the incoming Government might look more favourably on it. And, further, it was quite natural, if he had any friends in the House, that he should endeavour to show them that the claim was more righteous than the Government in office seemed to think it. That was all that the honorable member for Clive had said.

Hon. MEMBERS.—Oh.

Mr. McLEAN.—Yes, that was all he said—at any rate, all he meant; and if some rather strong words crept in, as they would creep in in the heat of debate, the House should take no notice of that. It is notorious that this gentleman is constantly in the House.

Hon. MEMBERS.—Name.

Mr. McLEAN.—I shall not give the name.

Sir G. GREY.—I rise to a point of order, Sir. Is not the honorable member bound to give the name when called upon?

Mr. SPEAKER.—There is no reason why the honorable member should be compelled to go further than he wishes to go.

Mr. McLEAN.—The Hon. the Premier just now mentioned the name of Captain Holt. Why, Sir, Captain Holt has had nothing to do with the firm for some years, I understand. My honorable friend made no charge against the Premier. I do not see what is the use of taking further notice of this matter. He simply said that this person had used his influence to get the Government into office.

Mr. REYNOLDS.—Oh.

Mr. McLEAN.—The honorable member for Port Chalmers is a great partisan. He cannot help looking at everything through his party spectacles.

Mr. REYNOLDS.—I may say, in explanation—

Mr. SPEAKER.—The honorable member is out of order.

Mr. McLEAN.—I was going to say that when we get angry we sometimes go further than we ought. I sometimes say that in the heat of debate which I would not say in cooler moments, and I readily withdraw anything offensive; and it is useless pressing this matter further. I submit that there is nothing to be gained by explanations.

Mr. W. WOOD.—According to the words taken down, the matter does not stand as the honorable member for Waikouaiti puts it. The honorable member for Clive said this firm had been mainly instrumental in placing this Government in power; and that implies a direct charge of corruption against every honorable member who placed them there. The honorable member for Clive also said that the Colonial Treasurer was the agent

for "Big Clarke," while he must know that "Big Clarke" is not in existence. He has been dead for many years. I would also call the attention of the mover of this resolution to the fact that he has made a slight omission. He should insert the word "retract" as well as "apologize."

Mr. MOORHOUSE.—Sir, I would point out that we have in our midst the institution of the Press. The Press is relied upon by Her Majesty's Government and also by Her Majesty's Opposition, and it is used by both parties. The Press is an exponent of public opinion, and members on both sides are influenced by the Press. Is it therefore to be inferred, under those circumstances, that the House is corrupt? You might, with equal justice, say that honorable members are corrupt because members take notice of what is written in the Press. It is perfectly ridiculous to waste time in discussing a matter of this kind. If I were not a member of this House it would be my right to come into the lobbies of this House and urge my views on a public question, or on a private question, upon any honorable members who chanced to be my friends. I do not know anything about the justice of the observation made by the honorable member for Clive. But this I know: that it is perfectly just on the part of the agent or the friend of Messrs. Brogden or Messrs. Anybody-else to come to the precincts of this House, to approach honorable members of this House, and, if smarting under a sense of injustice, to urge their rights. Why, Sir, it is quite possible that what the honorable member has said is true. I know nothing at all about it. I have got my eyes about me. I know what is going on in this House and the precincts thereof as well as anybody else. I do not think I am an hour in a week out of the precincts of this House; and I see what is going on. I attend to my Parliamentary duties after my own fashion. I have seen what has been occurring in this House, and I have seen what has been going on in the lobbies. I know honorable members who have been addressed by particular individuals. In fact, my time has not only been very much occupied by watching what has been going on outside this House, but also what has been going on within its precincts, and I know this: that the agents of the Messrs. Brogden have been remarkably active in their attendance upon honorable members of this House. But I do not attach any base significance to that. They have a perfect right to do so. What has resulted from that close application to the interests of that mercantile firm it is not for me to say. I cannot say what the result has been; but any honorable member who has his eyes about him has a perfect right to remark upon what he sees, and it is the duty of every member of this House to tell the country what he thinks in regard to action taken, not unfairly, but openly, by the lieutenants of any mercantile firm or individual. Nothing more has been done than that, and I say that this is a ridiculous waste of time. It is parading one of the privileges of the House for a very unnecessary purpose indeed.

Mr. REES.—I do not think that the honorable



gentleman who last addressed the House is at all aware of what he has been talking about. If he had been in the House and had heard the remarks made by the honorable member for Clive he would have known what he was speaking about, but he did not hear the words which were taken down, and which were these: "It is a significant fact that the firm of Messrs. Brogden and Sons have been the strenuous supporters of the Government, and were mainly instrumental in placing those gentlemen on these benches." That remark was made in allusion to a statement by the honorable member for Clive that the Premier had in a sense advocated these claims before the House and the country. That was the charge—that the Premier had advocated these claims before the House and the country, and that it was a significant fact that the men who had the claims had been mainly instrumental in placing the Premier where he was. To any person animated with feelings of honor, or even with feelings of decency—to any person animated with the feelings of a gentleman—this matter must appear in this light: That a gross charge is made, not against the Brogden people, whoever they may be, but against members of the House, and against the Ministry—a charge that they were absolutely conspiring together to urge claims against the colony which they knew to be false. ("Hear, hear." "No, no.") Pardon me. I will leave it to the impartial judgment of any person whether it does not amount to that: that false claims are urged against the country; that the Ministry indorse those claims to a great extent; and that it is a significant fact that the men who urge those claims were the very persons who put the Ministry in power. What does that mean? It means that there is a conspiracy actually existing to get public money paid to those persons and to put the Government in power, or it means nothing. It was urged in that way by the honorable member for Clive; and, no matter what the House may do, I warn honorable members that, if they persist in dragging each other through the dirt, they will not only lose the respect of the country and the respect of gentlemen, but they will lose all self-respect. Every member of this House knows that what was said was absolutely wrong and improper. If it had been true, then a charge should have been founded upon it. I hope a Committee will be moved for, and, if there is no foundation for the charge, the person who makes it will not be fit to be a member of this House. I think that will be the verdict of any gentleman or any person who knows in what a code of honor consists. I was not only surprised to hear the statement made by the honorable member for Waikouaiti, but grieved to see the manner and hear the words with which that honorable gentleman made the statement he did. However, I say, without any heat or passion, that no man who heard what the honorable member for Clive said can ever doubt that it was wrong. However you may try to explain it away, it was an imputation made in attack against the Government, and should not be allowed. The honorable member for Waikouaiti said the Premier had made worse

*Mr. Rees*

charges when attacking the late Government; but in that case the Premier was absolutely right. ("No, no," and "Hear, hear.") I would like—

Mr. SPEAKER.—I hope the honorable member will not travel into irrelevant matter.

Mr. REES.—I was only going to answer the observation of the honorable member for Waikouaiti. However, in relation to the words used by the honorable member for Clive, it seems to me that no man can deny that to accuse the Government of favouring claims which are false, and which were preferred by the persons who put them in office—in fact, that there has been collusion between the persons who put the present Government here and the persons who urged these claims—is to make a charge of so grave a nature that it cannot pass without challenge. The motion is quiet and reasonable enough—much more quiet and moderate than one I should have prepared; and, casting on one side the fact that the words are untrue, and are denied by the speaker, I say that if they are allowed to pass unnoticed it will be a disgrace and a shame to this representative House.

Mr. BOWEN.—I do think that a challenge of this sort in the House has become an absolute farce, and I think that one of the greatest parts of the farce is that the honorable member for Auckland City East should lecture us on manners. I do think that that is an absolute farce; and, Sir, I am sorry to say that there appears to be growing up—some members have attempted to set up in this House—a sort of doctrine that the honorable member for the Thames may say exactly what he likes about any other honorable gentleman in this House; but that, if his conduct is criticised in any manner whatever, he is to appeal to the Speaker, and have a regular State trial. Sir, we have had this over and over again, and I think that it is nearly time we should understand whether this practice is to go on or not. The honorable member for Auckland City East said, just now, that what the honorable member for the Thames had said of us was absolutely true. Why, that is repeating the accusations again, Sir.

Mr. REES.—I rise to a point of order. I was proceeding, when I spoke in that way, to state how they were true. If the honorable gentleman is to be allowed to refer to them, I hope I may be allowed also. If they are true, they are true.

Mr. BOWEN.—Sir, is this interruption right?

Mr. SPEAKER.—The honorable member for Auckland City East is not in order.

Mr. REES.—Am I not to have the right of reply?

Mr. SPEAKER.—Certainly not; there is no right of reply whatever. The honorable member, I am sorry to have to say, with very little judgment, while the House was in a state of irritation, adverted to what has long passed away, and thereby added fuel to the fire.

Mr. REES.—I did not allude to it first. I was replying to the honorable member for Waikouaiti, Mr. Speaker.

Mr. BOWEN.—When you called the honorable gentleman to order, Sir, I heard him answer—

ing me *sotto voce* that he was going to do it again, and I have not the least doubt that he will take some opportunity of insulting me.

Mr. REES.—I rise to a point of order. I never said anything of the sort.

Mr. BOWEN.—However, Sir, I accept what the honorable gentleman said—

Mr. SPEAKER.—There is a practice growing up of making observations—uttering them, as it were, aside—which is exceedingly undesirable and will become intolerable. Very often those interruptions do not reach my ear; but they are keen shafts levelled at others when they are speaking, and are very improper indeed; and whenever my attention is called to them, from whatever side of the House they come, I shall, with absolute impartiality and to the best of my ability, endeavour to put a stop to them. I perceive that it will be almost impossible, if that practice is permitted, that any kind of decorum in debate can be maintained.

Mr. BOWEN.—I thank you for saying that, Sir, for we have had a great many of those interruptions. Repeatedly I have heard honorable gentlemen interrupted by most unmannerly observations. I was about to say that I think this is a farce; and I hope that honorable gentlemen, on both sides of the House, who value liberty of speech, will, altogether independently of party, set their faces against one honorable gentleman being dealt with in a different manner from others. It is very well known in this House that, not once or twice, but over and over again, the honorable gentleman who has made this complaint now, the honorable member for the Thames, has accused the late Government of the most absolutely corrupt practices. Sir, I assure you, I am perfectly astounded—

Mr. STOUT.—I rise to a point of order.

Mr. BOWEN.—What, again!

Mr. STOUT.—I understood you to rule, Sir, that the honorable member for Auckland City East was out of order in travelling beyond the question; and he accepted your ruling. The honorable member for Kaiapoi is doing what you would not allow the honorable member for Auckland City East to do.

Mr. SPEAKER.—It cannot prove any case to say that something else done at some other time was equally bad. The statement may be perfectly true in itself, but it is not pertinent to the question. Such statements can only lead to recrimination; and I hope the honorable member will not refer to remarks made in a previous acrimonious debate.

Mr. BOWEN.—I bow to your ruling, Sir; but I would ask you whether it is not lawful for me, when we are considering whether certain words should be taken down and gravely censured, to illustrate the question by showing how honorable gentlemen have spoken before, and how their language has been treated.

Mr. SPEAKER.—I do not go so far as to say that the honorable gentleman should be prevented from illustrating his argument. I merely pointed out the danger of permitting reference to be made to previous acrimonious debates, just as I pointed out to the honorable member for Auck-

land City East that, if, instead of making general references, to which no one could object, specific references are made to words long past, we shall get into such a confused state that it will be impossible to preserve the order of debate. It must be well known that, as a rule, I do not exercise my power of interference except when improper language is used. On this occasion it is desirable to caution honorable members not to refer to specific statements made in former debates, the use of which can only add fuel to the fire.

Mr. BOWEN.—I certainly have no wish to add fuel to the fire, but I confess that I was indignant when an attempt was made to twist such words as are constantly used in debate into a very serious charge against my honorable friend the member for Clive. I have suffered again and again from the use of language as compared with which this is absolutely nothing, without taking any notice of it. I do not wish to rake up these statements, but not once or twice, but over and over again these accusations have been made, and made without the slightest shadow of foundation. I really thought the honorable member for Dunedin City was not serious when he proposed this resolution. He is a man who professes to value liberty of speech, and would not attempt, simply for party purposes, to wrest what an honorable gentleman on this side says in a manner in which the language of honorable gentlemen on the other side is never wrested. I do not wish to transgress the rules of debate. I merely intended to mention a few specific cases which sprang to my mind; but I will refrain from doing so now. One charge of a most offensive character was made, not later than yesterday, against my honorable friend the late Premier. I will not go into these specific cases, but I will say this: that the honorable member for the Thames has always shown himself most curiously thin-skinned when anything is said against himself, although he has constantly accused other honorable members, in the most broadcast way, of corruption. I do ask the House to put aside all party feeling in this matter, and to consider fairly whether, if such words as those uttered by the honorable member for Clive had been used against honorable members on this side of the House, they would not have been cheered to the echo.

Mr. JOYCE.—I think we are beginning to travel over a wide field, and before we do we should consider whether we are not in error in discussing the words used by the honorable member before we ask him to state to the House whether he has in his possession any facts to bear out the expressions he used. The question before us now is whether the expressions were Parliamentary or not. They were Parliamentary if true or founded upon facts, but, if they were neither, they certainly were unparliamentary, and the sooner we arrive at an expression of opinion upon them the better. But we should first bring the honorable member for Clive before the House, and question him as to the facts upon which he made the statement, and to that he should be bound in honor to give a distinct reply. After

that, the House would have no difficulty in bringing the matter to a conclusion. If the honorable member says he has facts, then the matter can be referred to a Committee; but, if he has no facts, then his own sense of propriety should prompt him to apologize to the House.

Captain RUSSELL.—I think the House has overlooked one point which is of considerable importance, and that is that, when this unfortunate occurrence took place, you, Sir, distinctly ruled that the words were not unparliamentary. I therefore take exception to the whole proceeding, on the ground that the words were not unparliamentary according to the ruling of the gentleman who is placed in the chair of this House to keep order in our debates. I have another objection, and it is this: that, so far as I understand the Standing Orders, the honorable member for Clive did not infringe one of them. I say that the words taken down are not the words used by the honorable member for Clive. I heard them distinctly myself; but, as the honorable gentleman did not himself contradict them, I shall say nothing further about that. However, I wish to call attention to the 132nd Standing Order, which says, "No member may use offensive or unbecoming words in reference to any member of the House." I should like to know to what member of the House the honorable member for Clive applied offensive words.

Hon. MEMBERS.—To all.

Captain RUSSELL.—Suppose he did, there is nothing in the Standing Orders which would apply to such a case.

Mr. GISBORNE.—Read Standing Order 130.

Captain RUSSELL.—That Standing Order bears remotely upon the matter, but it is for the House and not for any individual member to take action upon that Standing Order. It says, "No member may use offensive words against either House of Parliament, nor against any Statute unless for the purpose of moving for its repeal." I am sure the honorable member for Clive did not use offensive words against either House of Parliament. However, there is still another ground upon which I object to the whole proceedings. Standing Order 135 says, "Every such objection is to be taken at the time when such words are used, and not after any other member has spoken." Now, the honorable member for the Thames, when the words were used, got up and made a personal explanation, said he would move for the appointment of a Committee, and sat down. There was no intention whatever to move that the words should be taken down. It was an after-thought, suggested by some honorable members near the honorable member for the Thames. A short discussion intervened between the use of the words and the motion that they be taken down; and therefore the whole proceeding is irregular, inasmuch as no offence has been proved. The objection was not taken at the proper time. Therefore the whole question is settled by Standing Order 135.

Mr. STOUT.—The honorable gentleman is altogether mistaken in his interpretation of the Standing Orders. The words have been ordered to be taken down; therefore Standing Order 135

*Mr. Joyce*

cannot apply. Besides, no other honorable member has spoken in the debate. Another point is, that the honorable member for Clive has admitted the use of the words, and has repeated them twice. According to the honorable member's interpretation of Standing Order 132, an honorable member might reflect upon two members of the House but not on one. That would be a strange doctrine.

Mr. REYNOLDS.—I quite agree with the honorable member for Dunedin City. The honorable member for Napier has entirely misunderstood the Standing Orders. It is quite true the honorable member for Clive did not attack one member of the House, but he has done worse than that: he has made an attack upon every member who supports the Government.

Mr. DE LA TOUR.—I think the honorable member for Napier is quite justified in defending his colleagues—we can quite appreciate his loyalty in that respect; but what I would point out is that it is not necessary that the words should be unparliamentary to be taken cognizance of by the House. The grossest aspersions upon the characters of honorable members may be couched in unexceptionable language, but the fact that the words themselves are not unparliamentary does not absolve an honorable member from the consequences of making an unfounded charge. Any honorable member may move that the words be taken down, and, if those words cast unjustifiable aspersions upon the character of any honorable member, or upon any section of the House, if they accuse a section of the House of being bought by contractors, the House should take cognizance of that. I do not agree with honorable members who consider such charges a farce. We have been told that this is a farce because other charges have been made at some other time—

Mr. SPEAKER.—The honorable member for Napier has raised the question that the whole of these proceedings are irregular, and has referred to certain Standing Orders. One point raised by the honorable member was that the words were not taken down there and then. If that had been so, it clearly would not have been right to take down the words. But anything said after the objection was raised cannot be regarded as a speech. It was a kind of conversational altercation between the Premier and the honorable member for Clive. That formed no part of the debate. The remarks were made by way of explanation. Then the honorable gentleman took an objection on a point of order that I ruled that these words were not unparliamentary. Certainly they were not unparliamentary—there is nothing in the phraseology which is unparliamentary; but the honorable gentleman will recollect that I also said that it was a very grave charge to make, and that, if the House thought proper that the words should be taken down, it was not for me to say that they should not. Particularly is this the case when a large and grave charge has been made. I venture to suggest, and I still think, that if a grave charge is made, the best way to meet it is to have it dealt with by a Committee. I suggested, when the honorable member for Clive rose the second time

and asked for my protection, that he might move that the words be taken down. There is nothing in the Standing Orders to prevent any words such as those, containing grave charges, from being taken down, although the phraseology may be quite Parliamentary. I thought the words of the Prime Minister were very strong, and I said so at the time. I hope I have put the case clearly before the House.

Mr. DE LAUTOUR.—I was saying, Sir, that I did not envy any honorable member of this House who could look at such charges as being in the nature of a farce. It has also been said that this has been a heated debate. The honorable member for Waikouaiti offered the excuse on behalf of his late colleague, the honorable member for Clive, that this was a heated debate, but it must be recollected that the honorable member for Clive spoke first after the adjournment, so that he could not have laboured under any undue excitement, and every word was weighed by him in that bloodless style which is so characteristic of the honorable gentleman. The House must not forget that this is not the first time that similar grave charges have been made by the honorable gentleman in the coolest manner. I do not think we can gain anything by debating this matter further. While I have been speaking I have endeavoured to keep down those feelings of indignation which must fill the mind of any honorable gentleman who respects his party and his chief when he hears words of the kind in question applied in the way in which these words were applied. I restrain my feelings, and I ask the House to decide the motion before it without further debate. If the House agrees that it is desirable that these charges should be made, we shall have a precedent indeed. If the House decides that such words may not be used, honorable members on this side can then move that a Committee be appointed to inquire into them. I presume that that will be the better course to take; and I hope that we may see our way, if there is to be a division, to divide at once, and not to work ourselves into feelings of hostility to one another. I restrain the strong feelings which I have, in the hope that we may come to a decision at once.

Mr. BRANDON.—Sir, it is as a very old member of the House that I rise to speak. I exceedingly regret the tone of debate which has grown up in this House during the last few years. In former Parliaments we never had debates of this sort, and, in my opinion, it is very much to be regretted that we should have them now. I think, however, that on the present occasion we are making a mountain of a molehill. What has the honorable member for Clive said? Why, simply that Messrs. Brogden and Sons have been instrumental in placing those gentlemen on the Government benches. The honorable gentleman said,—

“These are the kind of works which the Premier tells the colony will have to be paid for. It is a significant fact that the firm of Messrs. Brogden and Sons have been strenuous supporters of the Government, and have been mainly

instrumental in placing those gentlemen on those benches.”

I say that there is no accusation in that against the Government or against any honorable gentleman in the House. It is quite true that the late Government were only turned out by a bare majority of two or three votes, and it may be that some honorable gentlemen may have voted against the late Government because they thought that the claims of Messrs. Brogden and Sons against the colony were well founded, and should not be refused. When you come to analyze these words they really amount to nothing. The worst construction that can be put upon them is that Brogden and Sons had two or three friends in the House, who were in the majority which ousted the late Government. I think there is really no importance to be attached to the words. In fact, it would be a mere waste of time, in my opinion, to discuss the matter any further.

Mr. HODGKINSON.—Sir, with the desire to bring this matter to a speedy conclusion, I shall move an amendment, which I will read, and which I will either withdraw or proceed with as the House desires. It is to this effect: “That the honorable member for Clive be called to the bar of the House, and requested by Mr. Speaker to state whether he is in possession of any facts justifying the assertion made in the words taken down on the motion of the Hon. the Premier, in order that, if he can do so, the matter may be remitted to a Committee for inquiry.” I may say that I consider the charge which has been made to be of the grossest description, and applicable to all the members on this side of the House. As far as the honorable member for Wellington Country District is concerned, I think that he is scarcely in a position to express an opinion, as he was not present when the words were spoken. The honorable member for Clive stated in his speech certain facts with regard to the sum of £170,000 which he says is the amount of the claims which are made on the colony in connection with certain disputed transactions. He stated that these claims had been too favourably entertained by the Premier. (No.) Well, he said that the Premier seemed inclined to favourably consider these claims, and that he could not be so well acquainted with the claims as the honorable gentleman himself was. He stated, further, that the Premier had acted injudiciously in giving importance to these claims, as by doing so he was giving encouragement to contractors to bring forward and persevere with claims against the colony which were not well founded. Then the honorable member added the malicious statement that it was a significant fact that those honorable gentlemen had been placed on those benches mainly through the instrumentality of the contractors referred to. I contend that that was a very gross charge to make not only against the Ministry, but also against every member on this side of the House. It was a gross charge to say that the Ministry had gained their seats on those benches through the instrumentality of those contractors. It implies that we on this side of the House consented to allow the colony to be robbed

for the benefit of those contractors. With regard to the honorable member for Kaiapoi, I must say that I was absolutely shocked to hear him applauding the honorable member for Clive in making this charge. I can only assume that evil communications corrupt not only good manners, but morals also. I remember that the honorable gentleman on a former occasion was observed to sit and smilingly encourage another honorable member (Mr. Ormond) to make the grossest charges that have ever been made in this House, or perhaps in any Parliament in the world—charges, had they been true, utterly destructive to the character of one honorable member in this House (Sir G. Grey). I am surprised that the honorable gentleman can hold up his head in this House to lecture other members.

Mr. MACFARLANE.—Sir, I rise to a point of order. I cannot sit here and listen to the honorable gentleman recusing other honorable members of being ill-mannered and using unparliamentary language. Why, Sir, the honorable gentleman himself is in the habit of using stronger language than any member in the House. In that respect he is worse than anybody else. His observations regarding other honorable gentlemen sometimes simply amount to slander. I do not think he should talk about other members' language.

Mr. SPEAKER.—I do hope the House will listen to reason. If honorable members are virulent in their remarks the business cannot be proceeded with satisfactorily: that is quite impossible; and it is especially desirable that temperate language only should be used when we are discussing a question of this kind. If we begin the system of talking loosely, I do not know where it will end. I hope the House will pay attention to what I have ventured to suggest. Perhaps the best course to be pursued, now that the subject has been ventilated, would be, in the interests of the public, and of the public time, considering the length of the session, and also in the interests of the immediate question, to now allow the subject to drop. I am not saying that there is not good ground for accusation and irritation, but if we only cast our recollection back three or four months we must consider that on all sides of the House there is much to regret. As your Speaker, I should feel greatly obliged if this suggestion of mine were in a generous spirit carried out.

Mr. HODGKINSON.—I have nothing more to say, and only moved this amendment with a desire to bring the discussion to a speedy conclusion. If I was led into some warm expressions I do not think that I exceeded the bounds of Parliamentary language; and the honorable member for Kaiapoi on a former occasion—

Mr. BOWEN.—Is not the honorable gentleman going altogether outside of the limits of debate in alluding to what took place on a former occasion?

Mr. SPEAKER.—It is improper to refer specifically to former debates. If the honorable member for Riverton will be good enough to pay some attention to the appeal that I have ventured to make, and if the honorable member for Dunedin City will also do so, I should be very greatly obliged, and I think it would be a great aid to

the business of this House. I say no more, but I hope my words will receive the attention which I do think they merit.

Mr. HODGKINSON.—After what you have said, Sir, perhaps the best course would be to withdraw my amendment. I was encouraged to move the amendment by other honorable members, and it did not originate spontaneously with me.

Mr. J. E. BROWN.—Should I be in order, Sir, in moving the adjournment of the House?

Mr. SPEAKER.—If the House adjourns, then the question, That I do leave the chair in order to go into Committee of Supply, will be dropped. Supply will not be dropped altogether, but this identical debate will be destroyed.

Mr. J. E. BROWN.—I move, That the House do now adjourn.

Mr. STAFFORD.—I think, Sir, that the suggestion you made a short time ago showed a right appreciation of the line of action the House should take. I had not the benefit of hearing what took place at the time the words were spoken, and I therefore only form my conclusions from hearing what was taken down. I am very largely of the opinion expressed by the honorable member for Wellington Country District, that, while there was apparently a reflection which could be disadvantageously twisted against the honor of some honorable gentlemen not named, yet there was actually nothing more directly imputed than that, without any corrupt agency or intention whatever, they might have been influenced by certain representations. Now, from my experience in this House and from the perusal of the proceedings of other legislative bodies, I have heard these general representations made without its being supposed that they for a moment impugned the dignity or honor of individual members. I do not think that the direct construction of the language as placed upon it by the honorable member for Wellington Country District need necessarily be offensive. I admit, however, that there is a possibility of twisting—I will not say straining—the application in a direction that might be directly offensive to honorable members who are not specified. I would have been quite prepared to support a motion that the honorable member for Clive should be asked to withdraw those words. I think that, so far, there has been such a possibility of an imputation against the honor of honorable members that he might be requested by this House to withdraw those words; and the House might even go further, and express its regret that he had used those words. To that extent I should be prepared to go, and I was considering whether I should not make that motion when you, Sir, addressed the House in so appropriate a manner. If the House is prepared to accept your suggestion, the matter would end there; or if the House looks upon the matter in the same light as I do, I should be prepared to support the motion I have indicated. This House has become notorious for raising points of order, breaches of privilege, and what not. It may be thought that this has added to the standing and dignity of the House with the outside public. I have heard opposite opinions expressed,

*Mr. Hodgkinson*

and I admit that people are perfectly entitled to hold their opinions on the matter. I would not for a moment say that this House should be insensible to any reflection on its honor and dignity; but I beg leave to think that, if the House is always under the apprehension that it is being accused of something dreadful, people at a distance and people in the immediate neighbourhood may begin to doubt whether there may not be some foundation for this extraordinary sensitiveness. I would submit that if the House were not so conscious of its own dignity, if it were more capable of relying on it and had a sufficient amount of general self-respect, it would not think it so necessary to be always placing on its records some declaration or other that it is a very dignified House indeed. While I think the honorable member for Clive has used language which is capable of being misconstrued into a reflection of an objectionable character, I am quite prepared to believe that the words are not necessarily to be construed into anything graver than the meaning put upon them by the honorable member for Wellington Country District. Therefore I think that if the honorable member for Clive were informed that the House is of opinion that it is a matter for regret that he used those words, and if he were requested to withdraw them, the House would amply vindicate its honor.

Mr. GISBORNE.—I am quite in accord with the view of the honorable member for Timaru, although not on the same grounds. I think the issue raised by the honorable member for Dunedin City is giving a strained interpretation to the words used by the honorable member for Clive. I do not think the honorable member intended any charge against any section of the House; but the words are susceptible of a very offensive imputation against the Premier. He said that the Premier had favoured the unfounded claims of the Messrs. Brogden, and he went on afterwards to say that it was a significant fact that those gentlemen were supporters of the Government. That is the sense in which I took the words. I feel sure that, if the honorable member for Clive reflects that his words are susceptible of that offensive imputation, he will, after hearing the opinion of the House, at once withdraw them.

Mr. BARFF.—It is a matter of regret to me that the time of the House should be taken up by several honorable members who have discussed a question of which they really understand only one-half. Honorable gentlemen who were not present when the occurrence took place cannot understand the full point of the expressions used by the honorable member for Clive. At the same time, while expressing that regret, I think, Sir, that the suggestion which you offered to the House pointed in the right direction. That was in the direction of throwing oil on the troubled waters. Following in that direction, and following the hint thrown out by yourself, Sir, I will also try to throw oil on the troubled waters. I would suggest whether it will not be wise to put a charitable interpretation upon what the honorable member for Clive has stated. I do not think it is worth while to have any further discussion on the subject, when we consider two

points in particular. The first point is, that the honorable member for Clive is smarting to a very great extent under a sense that he has, by his past action in the same direction, forfeited the good opinion of honorable members of this House, and even of his own colleagues. (Question.) I am endeavouring to express my opinion with regard to the question of privilege before the House. I am giving reasons why the House should not deal hardly with the honorable member for Clive. I say that the honorable gentleman should be excused to a very great extent, and allowed a large amount of latitude in his expressions, having a sense that on a former occasion he committed himself in the same direction he has done now.

Mr. SPEAKER.—The honorable member is out of order in referring to a former debate. It is undesirable to make such observations when the House itself is trying to calm down on this subject. I hope the honorable gentleman will refrain from making such observations, as they are quite out of order.

Mr. STOUT.—I rise to a point of order. The motion is the adjournment of the House, and, that being so, I apprehend the honorable gentleman is in order.

Mr. SPEAKER.—The rule is very clear, that any reference to a former debate is contrary to Parliamentary proceeding. The honorable member is referring to what would really reopen the whole of that debate, and any honorable gentleman following him would be justified in speaking upon it.

Mr. BARFF.—It is almost impossible for an honorable member, in speaking to a question of privilege, to do so without referring to what the question of privilege is. I was trying to find an excuse for the honorable member for Clive. As I am not permitted to bring that point before the House, I will put it from a point of view entirely different. I will put it whether the honorable gentleman is not entitled to consideration, seeing that he really cannot help doing this sort of thing. It is a natural instinct with him to bring up statements which honorable members have been accustomed to hear from him from time to time—statements upon which honorable members have expressed themselves strongly. I say we should put a charitable construction upon the honorable member's conduct.

Mr. STOUT.—Perhaps the honorable member for Ashley desires to withdraw his motion.

An Hon. MEMBER.—No.

Mr. STOUT.—Well, then, if he will not withdraw that motion, we shall have to debate it out. If the honorable member for Coleridge and other honorable members are going to make this a party question I am prepared to meet them on that ground. I say that, if this House is going to allow charges of this character to be made against members who have voted against the late Government—that they have been bribed by contractors—if these charges are allowed to go unquestioned, then this House will descend to be a perfect bear-garden. What did the honorable member for Clive do? He first makes a charge; the words are taken down; he admits the cor-

rectness of them; and then his late colleague, the honorable member for Waikouaiti, rises and backs him up, and says it is true—that members of this House have actually been bribed by the Government in order to carry a certain motion. No charge could be made against any honorable member more gross, more discreditable, or more derogatory to this House.

Mr. McLEAN.—I never said that contractors bribed any member of this House; I never mentioned it.

Mr. STOUT.—The honorable gentleman's interpretation has not improved his position. He is obliged now to eat his words.

Mr. McLEAN.—I never made use of the words. I hope, Sir, this kind of thing will not be allowed.

Mr. SPEAKER.—When an honorable member rebuts a charge, and says, "I did not use the words imputed to me," it is not right that his statement should not be accepted.

Mr. STOUT.—I suppose I did not hear what I did hear.

Mr. SPEAKER.—I do not think that is the sense in which the matter should be taken. If this sort of thing goes on I shall certainly have to consider the position the Speaker is in. I am afraid I shall not be able to control the proceedings. I think the honorable member ought not in that sense to so defy the ruling that I gave.

Mr. STOUT.—I am not defying your ruling, Sir. The honorable member for Waikouaiti made a specific charge against those who voted with the Government in this House. When I get up and repel such a charge, he gets up and says he never made it. I now accept his explanation, and I shall say nothing more about it. I do not mean to say that he used the exact word "bribe." I understood him to say that an agent of the Brogden firm was continually in the lobbies, continually in the Strangers' Room, talking to members and influencing their votes.

Mr. McLEAN.—No; I did not say that.

Mr. SPEAKER.—I must speak plainly. The honorable member for Dunedin City puts words into the honorable member for Waikouaiti's mouth which he never used. When the honorable member got up and said that he did not use those words, the honorable member for Dunedin City declined to accept that denial, and, when I reminded him that it was unparliamentary not to do so, he said, "I suppose I did not hear what I did hear."

Mr. STOUT.—I withdraw that statement. I understood you to state that I had attributed words to the honorable member for Waikouaiti that he did not use.

Mr. SPEAKER.—The honorable member said that the honorable member for Waikouaiti had used the words that members of this House had been bribed. The honorable member for Waikouaiti certainly never used those words. The honorable member got up and declared that he had not used those words, and the honorable member for Dunedin City declined to conform to Parliamentary practice and accept the denial.

Mr. STOUT.—I believe he did not use the

*Mr. Stout*

word "bribe," and I withdraw that expression. When it was said that certain honorable members were influenced, there were cries of "Hear, hear," from the honorable member for Egmont, the honorable member for Invercargill, and other honorable members. If the honorable member for Clive and his friend the honorable member for Waikouaiti say they withdraw the charge of corruption against honorable members, and apologize for having used such language, I have no objection to see the matter drop. If this House is going to allow charges of a grave character to be made against members on one side of the House, and if it is going to treat them as party questions, the result will be that this House will descend into a mere bear-garden. I am glad the honorable member for Coleridge agrees with me on that point. What did we see when this matter arose? Did that side of the House take any steps to vindicate the position of this House, or to get this matter smoothed over? No; they sent out their whips to get all the members in they possibly could to vote on a possible division. Is that a way to treat a matter like this in the House? Sir, I can see that other honorable members may make charges; and I say that the charges that have been levelled by the honorable member for Clive are not the first charges that he has made in this House—charges which have been proved to be false. If the honorable member for Timaru will move the motion he indicated I will withdraw mine, and suggest that a Committee be appointed to investigate the charges.

Mr. J. E. BROWN.—I ask leave to withdraw my motion for the adjournment of the House.

Mr. SWANSON.—I hope the motion of the honorable member for Dunedin City will be withdrawn, in order that the motion suggested by the honorable member for Timaru may be adopted. I am sorry that the words complained of were used, and that the House has got into this discussion. If we really want to go through the business of the session and to part like good friends, I hope that some motion such as that suggested by the honorable member for Timaru will be adopted.

Mr. SPEAKER.—Is it the pleasure of the House that the honorable member have leave to withdraw his motion for the adjournment of the House?

Major ATKINSON.—No.

Mr. SHEEHAN.—I hope that the House will not agree to the motion for adjournment. I rise not for the purpose of adding fuel to the fire, but to point out what I think is the proper course to take. The honorable member for Clive has made statements which, if they were true, would unfit myself and my colleagues to hold our present position. If we were capable of placing ourselves in the power of a nominee of a contracting firm, I say we should not be here. The House having taken down the words, and having considered that the honorable gentleman who used them should either prove the charge or withdraw the expression, that, to my mind, is perfectly fair. If the statement is true, let the honorable member try to prove it. If he cannot prove it, as a man and a gentleman he ought to withdraw his

expression. The resolution I would move is this: That this House, having taken into consideration the words used by the honorable member for Clive, is of opinion that he should either move for a Committee to inquire into their truth, or withdraw them.

Mr. STAFFORD.—I should like to be put in the position in which I could move the motion I indicated. I stated the form of motion which I was prepared to move. I had not written the motion, and while I was writing it other honorable members spoke on this question, so that to a certain extent I may appear to have lost the power of moving that motion. I was very glad to hear the honorable member for Dunedin City say that he would be prepared to accept the motion, and I do think that motion would obviate the necessity for the honorable gentleman moving any motion of which he had given notice. I do think that the honorable member for Clive is fairly required to withdraw the words used. My motion expresses that the House regrets that the words taken down were used by the honorable member for Clive, and that he should be required to withdraw them.

Mr. SHEEHAN.—I will withdraw my motion in favour of that of the honorable member for Timaru.

Mr. SPEAKER.—I will again put it to the House that the honorable member for Ashley have leave to withdraw his motion for the adjournment of the House.

Motion for adjournment by leave withdrawn.

Mr. STOUT.—I ask leave to withdraw my motion.

Motion by leave withdrawn.

Mr. STAFFORD.—I beg to move, That this House regrets that the words taken down were used by the honorable member for Clive, and that he be requested to withdraw those words.

Mr. BARFF.—I think the words of the motion might be slightly altered, so as to meet the views of all parties. I believe the House does not regret that the words were used. We were disgusted at their being used, and it is for the honorable member for Clive to regret that he used them.

Mr. REID.—Before there is any division taken, I wish to express my opinion upon this matter, because I do not agree with either of the motions that have been proposed. To my mind the words that have been used are not beyond that freedom of debate which a member of this House ought to have in calling attention to anything he may consider a matter of public importance. That is my opinion. I say that if any person can attribute these words to himself he must be in far too sensitive a frame of mind to take part in the proceedings of any deliberative Assembly such as this. It is said that the words used were, "It is a significant fact that the firm of Messrs. Brogden and Sons were mainly instrumental in placing those gentlemen on those benches"—"mainly" is taken down, but my recollection is that the word used was "greatly"—but, even if those were the words used, they are not, to my mind, more than should be allowed in the liberty of speech in this Assembly. We often contend here for the freedom

and privilege of Parliament; but what greater freedom or privilege can we have than liberty of speech? Notwithstanding all the motions I have heard honorable members standing up to move in regard to the privileges of this House, I say there is no greater privilege than that of liberty of speech, which enables any honorable member to call attention to what he thinks a public injury or wrong without bringing personal charges against individuals, which are not to be found in the words used on this occasion. Even in the debate which this question has interrupted I heard words that were as great, and even a greater infringement of the privileges of the House than these, if they be an infringement; and those words were used by an honorable gentleman who holds a very high position in this House. I contend that, if an honorable member cannot use words of this kind in a general sense without being called upon to prove them, we may as well put a stop to all liberty of debate. We may have a moral certainty of things, and yet not be able to bring positive proof of them. To require an honorable member, before he brings a charge about a public grievance, that he shall be in a position to call witnesses to prove it, is a decided check to the liberty of speech, and our mouths had better be closed, and in such case the public interests will suffer. That is why members of Parliament are privileged in their speeches, and no action can be brought against them for what they say within the precincts of this House. When private and personal character is attacked, then the House should interfere; but, if we lay down a rule that in speaking upon a public question we cannot speak in this way, the liberties of this House will be very much interfered with. I therefore cannot agree with either of the motions before the House. I do not think the words of the honorable member for Clive went beyond that just criticism which is allowed to every member of the House.

Mr. JOYCE.—The honorable member for the Taieri overlooks the point that the honorable member for Clive did not cite any fact whereon to base the statement he made. No doubt there is, and always should be, considerable latitude allowed to honorable members, if there be a fact of any kind whereon to frame opinions; but the honorable member threw out very serious charges without citing one single fact in support of them. The only fact that could have justified him at all was that cited by the honorable member for Waikouaiti, who supplemented the statements of the honorable member for Clive, and aggravated them. I think the honorable member for the Taieri is very wrong in defending such an expression of opinion without a fact on which to base it.

Mr. Stafford's motion agreed to.

Mr. ORMOND returned to the House.

Mr. SPEAKER.—It is my duty to inform the honorable member for Clive that the House has passed a resolution to the effect, "That this House regrets that the words taken down were used by the honorable member for Clive, and that he be requested to withdraw those words."

Mr. ORMOND.—I presume, Sir, I may be allowed to say, with reference to the words taken



down, that, since hearing those words read, I am strongly of opinion that I never used them. If, however, it is the desire of the House, I will withdraw them.

Mr. SPEAKER.—The honorable gentleman may now resume the speech in which he was interrupted.

Mr. ORMOND.—Before I go on I should like to say, with reference to the part of the speech on which I was engaged when this question arose, that the last thing I intended was to throw any disrespect upon members of this House. I did not wish to do anything of that kind. I had concluded what I had to say on that particular point in the address I was making, and I was then about to speak on the Land Fund question. Sir, when the honorable member for Waikouaiti was speaking to this question the other night, it was said of him that he was talking against time; but, to my mind, the honorable members who were very loud in their interruptions did not at all desire to hear what the honorable gentleman said. I think he was perfectly right and justified in every word he said on that occasion, and the remarks he made were exceedingly pertinent to the question from his point of view. I differ from my honorable friend in reference to this question. I hold very distinct opinions in regard to the Land Fund, and, however that question has been brought to its present position, I feel, at any rate, as a representative of a North Island constituency, that there is no other course for me but to support that part of the policy of the present Government which goes in the direction of bringing about the generalization of the Land Fund. I have held that opinion for a very considerable time. I have shared it in common with the honorable member for the Waikato, who has often enunciated it in this House; but there was a difference in the opinion as held by me and as held by the honorable member for the Waikato. That honorable member not only advocated the generalization of the Land Fund, but he also, at one time, was an advocate for the separation of the colony. I have always held that the generalization of the Land Fund was a subordinate question to that of the unity of the colony, and the reason why I have always refrained from pressing my views upon this subject was because, in my estimation, the unity of the colony was the chief question, and anything that would jeopardize it should be avoided. It has not been, in my opinion, open to this House, during the time I have held a seat in it, to bring about a generalization of the Land Fund without jeopardizing the unity of the colony. That is the reason why, before the present time, I have not been found with those who have advocated that course. The generalization of the Land Fund, as it is now brought about, is brought about by means which could hardly have been foreseen a very short time ago. I agree very much with those honorable gentlemen who addressed the House in opposition to the generalization of the land revenue in thinking that certain members of the House, who have been known in former years to have held strong opinions upon this subject, and who were returned to the House for holding those opinions,

Mr. Ormond

ought, before they lent themselves to the bringing about of this change, to have gone before their constituents and given them an opportunity of expressing their opinion upon the question. Although agreeing with that part of the policy of the Government, I also quite agree with the criticism upon it from that point of view. I have long believed that the generalization of the Land Fund was the only means at our disposal to attain to a satisfactory finance, and I believe myself that if we generalize the Land Fund a sound finance is possible for us in the future. I shall therefore be found giving support to those measures that are brought down to bring about that end; but at the same time I guard myself against being obliged to support any details of the Bills to be brought down. There are many different ways in which this question may be put, and I reserve to myself the right of taking any course I think fit on seeing the Government measures. I cannot help admitting that my honorable friend the member for the Taieri was perfectly justified to-night, from his own point of view, in speaking as he did with great regret at what the House is doing in this matter. One cannot help sympathizing with those who have taken a leading part in the management of the affairs of the Provincial District of Otago, and who have so well conserved the land that, so far as my information goes, the Land Fund of Otago will in the future most largely aid the colonial revenue. It has been the custom in this debate to say that, of all the provincial districts, Canterbury will be the greatest sufferer; but I am of an entirely different opinion, for, from such information as I have, I believe the bulk of the Canterbury Land Fund is gone, whilst the Province of Otago, having conserved its land, has a large Land Fund to look forward to in the future. It will be for those honorable gentlemen who represent Otago, and who are taking the course they are now taking, to justify their action to those who sent them here. I confess that I sympathize with the position in which the Minister for Lands is placed. It does appear to me that the fact of sitting on those benches has had a greater effect upon him than upon any other honorable gentleman I have ever seen there before. My former knowledge of him had led me to look upon him as a gentleman who was the great patriot of Otago, and who always, so far as I have observed, considered Otago solely, and cared very little for New Zealand. Yet we find the result of his being on those benches for one month is that he has given up all his old opinions, and generously become a statesman of New Zealand. I congratulate him on the change in having passed from a purely provincial representative to that of a statesman of New Zealand. The Premier, in reply to my honorable friend the member for Egmont, referred to a question to which he has very often referred before in this House in speaking of the finance of the colony. He alluded to the question of representation, and said we should not have a really honest finance—I think these were the words used—until the representation was readjusted. Now, I hold a very different opinion on the

question of representation from that of the honorable gentleman. I believe he would like to see the representation of the colony based solely on population. No doubt he believes that to be a popular doctrine; but I entirely differ from him. I believe the people of this country desire nothing of the kind, and it will be a long time before we shall see this House agreeing to a system of representation which would hand over this colony to the domination of the large centres. If the honorable gentleman's ideas are given effect to, the result will be that the cities of the colony will return a majority of members to the House. I venture to think that he has altogether forgotten that large class which is to be found in the country districts of Otago, Canterbury, and other parts of the colony, the yeoman-settler class, whose interest is very fairly represented at the present time. I look upon it as a matter of certainty that the views of the honorable gentleman on this point will not be given effect to. We have heard a great deal—not so much lately, and there may be a reason for that—of the possibility of a dissolution; but when that occurs I take it that the question of representation will be one of the most vital fought out on the hustings. I am sure that honorable gentlemen who at present represent country districts will see to it that that interest is fairly represented in the future. What would be the state of things in the Home country if such representation based solely on population were adopted? And it would be exactly the same here: some large towns, the constituents in which are very often swayed by the feelings and passions of the moment, would be really the dominating class and the rulers of the country. I had intended to refer to-night to the policy which the Native Minister shadowed forth the other evening when moving the second reading of the Native Lands Act Amendment Bill, but at this late hour I shall not do so. I believe I shall have an opportunity of speaking on that question before we go into Committee on the Bill, and I shall defer my remarks till then. I will therefore conclude by saying that I shall support the measures of the Government so far as relates to the generalization of the Land Fund; and, when that is carried, I shall feel it my duty to endeavour to the best of my ability to secure on those benches a Government which will, I believe, more advantageously guide the affairs of the colony than the present occupants.

The House then went into Committee of Supply.

#### CLASS I.

Legislative Departments, £31,696, agreed to.

Progress was reported, and leave given to sit again.

The House adjourned at half-past one o'clock a.m.

## LEGISLATIVE COUNCIL.

Friday, 23rd November, 1877.

First Readings—Second Readings—Third Readings—Government Business—Provincial Liabilities—Fish Protection Bill—New Plymouth Harbour Bill—Mines Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

### FIRST READINGS.

Canterbury Roads Bill, Hekonui Education Reserve Bill, Milford Harbour Bill.

### SECOND READINGS.

Jackson's Bay Road District Bill, Lyttelton and Heathcote Recreation-Ground Bill, Mount Cook Road District Bill.

### THIRD READINGS.

Public Revenues Bill, Jackson's Bay Road District Bill, Mount Cook Road District Bill.

### GOVERNMENT BUSINESS.

The Hon. Colonel WHITMORE said it would perhaps be convenient, before the business was proceeded with, if he moved, without notice, That the Council, at its rising, do adjourn until the usual hour to-morrow. He intimated on the previous day that he would make this proposal, and honorable gentlemen had had time to think about it. The Hon. Mr. Hall had some question to ask him, upon the answer to which he understood would depend whether the honorable gentleman would consent to the proposed adjournment or not. He would be able to answer the honorable gentleman in his reply, and would now move, That the Council, at its rising, do adjourn until to-morrow at half-past two o'clock.

The Hon. Mr. HALL said the question he asked on the previous day, when the Colonial Secretary suggested a Saturday's sitting, was what business the Government intended to persevere with, because, of course, their proceeding in this matter would largely depend upon that information; and, independently of this particular proposal, he thought it was time that Parliament should be informed what were the intentions of the Government with regard to the business which had yet to be disposed of. The most important measures were, probably, the Land Bill and the Mines Bill, the latter of which was before the Council. He would ask whether the honorable gentleman meant to persevere with and attempt to carry the Mines Bill, which was a very important Bill indeed, and a very voluminous one, through the Council this session; and also whether the Government meant to proceed with the Land Bill, and, if so, when the alterations which they were told would have to be made in the Bill with the view of embodying the land policy of the Government would be brought down, and, as far as the honorable member could tell, when they would be passed through the other branch of Parliament. If this Bill was to be sent down, it was hardly likely, considering the large alterations which, of course, the new land policy would involve, that

the Bill would reach them in less than a week from the present time. He was sure that his honorable friend would not imagine that the Council could thoroughly consider that measure within less than a fortnight. In fact, he thought it would be very disrespectful to the Council to presume that less than a fortnight would be given to the consideration of such a large measure. Therefore, if they were to sit for another three weeks, he did not see, looking to the rest of the business on the Order Paper, that a Saturday sitting was absolutely necessary. If, on the other hand, these measures were not to be gone on with, and the business of the session was to be hurried to a close as quickly as possible, there might be some reason for a Saturday's sitting.

The Hon. Captain FRASER took the liberty of suggesting to the Hon. the Colonial Secretary that, when the Land Bill came into the Council, instead of submitting it as usual to the Waste Lands Committee to consider, at that late period of the session, it might be submitted to a Committee of the whole Council. That, he thought, would meet the desires of a great number of honorable gentlemen; and he hoped the Colonial Secretary would take a note of the suggestion.

The Hon. Mr. HOLMES said that, in his opinion, the Land Bill should take precedence of every other measure, because on it would be based the financial scheme of the Government.

The Hon. the SPEAKER thought it would be undesirable to enter into the question until the Colonial Secretary had stated what course the Government intended to take.

The Hon. Colonel WHITMORE, with reference to the question of the Hon. Mr. Hall, said, although he had every desire to afford the fullest information, still the honorable member must recognize that only for the first time last night—at midnight—the Government had become aware of the fact that its policy was accepted in another place, and, by inference, assumed that the threats to its existence, which had been for some weeks cropping up, were now waived. Therefore it was impossible that all the measures which it might be necessary to bring down in order to give effect to their policy could, up to this time, be completely decided upon. But he could state that the Government wished still to persevere with the Land Bill and the Mines Bill, giving preference to the former in case one or the other had to be dropped through press of work. The Government would persevere, also, with all the Bills they found necessary to give effect to their policy—their Loan Bill, whatever Loan Bill might be absolutely necessary to be brought in. They thought that, without disturbing the provisions of what was now called "The Land Bill," they could bring in a short Act which would answer the immediate purpose of giving effect to the leading provisions of their policy. Of course it was yet impossible to say for certain whether that could be done, or whether it would be necessary to incorporate provisions into the present Land Bill; but, as far as the Government were informed, they thought the present Land Bill should go through with all its machinery and its present provisions, and that

*Hon. Mr. Hall*

a short Bill should be drafted to give the powers which they required to carry out their policy. He could not exactly tell the honorable gentleman at that moment what course the Government would take with reference to the Consolidated Stock Bill; but the matter was under consideration. With regard to the Government Bills in the Council, there were the Cemeteries Bill and the Marine Bill, which must be passed, subject to the approval of the Council; and there were one or two other comparatively short Bills, which were still in their passage through another place. He thought he had now mentioned all the leading Bills about which the Government had any strong views. The honorable gentleman endeavoured to explain some calculation as to the amount of time it would take for honorable members to make up their minds upon a certain Bill. He could promise the honorable gentleman this: that neither he nor the Council would be asked to give a less time to the consideration of any new measures requisite to give effect to the policy of the Government than was given to them by the representatives of the people in another place, and, if that were done, the honorable gentleman, he thought, would not talk of any want of courtesy shown to the Council. He did not possess the key to the calculation by which the honorable gentleman arrived at the conclusion that it would take exactly three weeks for them to make up their minds; but he might tell the honorable gentleman that, as far as the Government were advised, and as far as their opinion went, they thought that towards the close of next week they ought to see their way towards the end of their work, and that at a very early period in the following week they would be able to prorogue. Of course a great deal would depend upon the progress of business during the present week. The Government had already announced that it would give the utmost possible time to private business, but that, when the time came that it could no longer do so, it must harden its heart and refuse to take any more. The Government business must be first considered, if they were to prorogue in anything like reasonable time. At the same time, it would not be right, and it would be the last thing the Government would dream of, to ask the Council to hurry through Bills of so much importance without giving sufficient time for their consideration.

The Hon. Sir F. DILLON BELL said the honorable and gallant gentleman was the last member of the Council from whom he would have expected to hear the remarks with which the Council had just been favoured. There was no doubt that the Government was entitled to receive the greatest consideration at the hands of the Council, as well as assistance in pressing on the public business at this late period of the session; but, unless he had very greatly misunderstood the honorable gentleman, he had, by what he had said, placed the Council in an unprecedented difficulty—a difficulty which the honorable gentleman could not for a moment suppose that any honorable member with self-respect would submit to. What were the cir-

circumstances in which the Council now found itself placed? The Government, in the other House of Parliament, had in the exercise of their discretion proposed an entirely new financial policy, based upon a fundamental change in the relations which had existed between the provincial districts of the colony for the last twenty years. He did not hesitate to say—it was unnecessary for him to do so, after all he had said on the subject during this session—that in the leading principle of that policy he thoroughly concurred, and would be found doing his utmost to give it effect. But the honorable and gallant member must surely remember that the Land Bill was not yet out of the other House of Parliament; and he ventured to say that the Council would never submit to be treated as a means of merely registering the decrees of the other branch of the Legislature, in a matter which so largely affected the welfare and the interests of the whole colony. Could the honorable gentleman say he had any expectation of the House of Representatives coming to a decision on the financial policy of the Government, including this fundamental change in their land policy, in the course of the next four or five days?

The Hon. Colonel WHITMORE.—Yes.

The Hon. Sir F. DILLON BELL.—And did the honorable gentleman expect that, at the end of another week afterwards, the public business would be in such a state as to enable the Governor to prorogue? Did he suppose that the Council, after receiving in another four or five days the decree of the House of Representatives on such questions as these, was simply to sit there and register it? The House of Representatives had taken four months to consider the principles of the Land Bill, and the manner in which it affected the various interests concerned. In the shape in which it had been circulated, the Bill materially affected every interest which had been created under the existing law; and he ventured to say that there was not a single member of the Council, excepting the Colonial Secretary, who would for a moment presume to say that a Bill of that magnitude was to be brought up to them from the other House of Parliament within four or five days, with a Loan Bill for four millions of money, involving, as these Bills did, a complete revolution in the relations between the provinces, to say nothing of other important Bills, one of which completely altered the whole system which had existed for eleven years under the Gold Mining Act, and then go on to say that these measures were to be considered by the Council in the short period which the Colonial Secretary had indicated as being the probable duration of the session. To say so was to declare that they were expected, forsooth, to simply sit there and pass laws without giving them the slightest consideration. There was not another member of the Council besides the Colonial Secretary who would consider it reputable or decent on the part of the Council to take such a course as that—to accept, in the course of the next four or five days, a mass of legislation of so fundamental a character, and swallow it whole. For his own part, he would fifty times rather re-

sign his seat in the Legislature, and retire altogether into private life, than subject himself to such a disgrace; and he was surprised that any one who sat as a representative of the Government in that Council should think it right or fair even to suggest such a thing to honorable members. He hoped his honorable and gallant friend would reconsider the position he had taken up, and be content to give honorable members a fair and reasonable time to consider the measures to which he was now referring: that, upon reconsideration, the honorable gentleman would see that it was absolutely impossible, with anything like self-respect, for men who were called upon to discharge the duty of legislating upon these fundamental subjects, to complete such a work in any less time than the Hon. Mr. Hall had mentioned. With the greatest amount of labour and patience they could possibly devote to the work, and every desire to give the assistance the Government were entitled to expect at their hands, it was out of the question even to hope that they could get through so vast a business in a week, unless they were prepared to disgrace themselves by announcing to the world that they only sat there to register the decrees of the House of Representatives, and to accept wholesale whatever policy it might please the Government of the day to submit for their approbation. To that he, for one, would never consent; and while he had a seat in that Council he would exercise every constitutional privilege which its members possessed, in order to put a stop to any attempt to force on legislation of such a kind in unseemly haste, or to compel them in the course of a few days even to so much as look at the prospect of a prorogation of Parliament.

The Hon. Captain FRASER did not think any member of the Council considered himself disgraced when last year, at the very end of the session, the Waste Lands Bill was sent up to the Council. They could not consider the Bill, and passed only a few clauses. They did not consider themselves disgraced in the slightest degree on that occasion; but now they had become virtuous all of a sudden. Why were they not equally virtuous last session and the session before? He recollected that at the end of one session, when they were all sitting at the table waiting for His Excellency to come in and prorogue Parliament, a very important Bill was brought down, which they swallowed there and then. He thought it was a Bill relating to the broad gauge of railway.

The Hon. Mr. ROBINSON thought his honorable friend Sir F. Dillon Bell had misunderstood the Colonial Secretary. He understood that honorable gentleman to say that the Council would have as much time given it to consider any measure that might be brought down as was devoted to that measure by the representatives of the people in another place. As far as going through business quickly was concerned, his honorable friend Captain Fraser had referred to a circumstance which he himself recollected. When they were actually waiting for His Excellency's arrival to prorogue Parliament, a message was sent down with a Bill of very great import-

ance indeed, with respect to the broad gauge being adopted in a part of the country to which the Hon. Mr. Hall belonged. That subject had been discussed in the Council for a considerable time, and honorable members were so convinced that the views they held with regard to the broad gauge were correct that, when the alterations in the Bill were returned to the other House of Assembly, and the members there refused to agree to the Council's amendments, a Conference was held, which lasted for a considerable time, and the managers for the Council adhered to the broad gauge, and it was carried. What had been the consequence? The broad gauge had been laid down for thirty miles—this was in consequence of one of the Bills they passed in a very great hurry—the railway had not been much more than a year open, or, at any rate, not two years, and now, when they were short of trucks, short of money, and short of everything, it was proposed to take up that broad gauge and lay down narrow-gauge rails, rendering the trucks perfectly useless. His honorable friend Mr. Hall knew—

The Hon. Mr. HALL said, as the honorable gentleman had mentioned his name, he would beg to suggest whether he was not rather travelling away from the immediate question before the Council. He would ask the Hon. the Speaker's ruling, whether the effect of an alteration in a railway gauge made in a measure some years ago had any bearing upon the present question.

The Hon. Colonel WHITMORE, speaking to the point of order, thought there could be no possible objection to the remarks of the Hon. Mr. Robinson, who had not travelled half as far away from the immediate question as had the Hon. Sir F. Dillon Bell when he lectured him (Colonel Whitmore) for about half an hour.

The Hon. the SPEAKER said the question before the Council was as to the adjournment—whether or not it was desirable to meet on Saturday. Arguments had been adduced. On one side a few honorable members suggested that it would not be desirable to meet unless there were some very important Bills that required their attention, and various illustrations were given to show that it was undesirable unless such was the case. Then the Hon. Mr. Robinson met those illustrations, as the Hon. Captain Fraser had done, by counter illustrations of a similar kind. Under those circumstances, the honorable gentleman was quite in order.

The Hon. Mr. HOLMES, speaking to the point of order, merely wished to say that the Hon. Mr. Robinson was bringing forward one of the most notable cases that had ever occurred in the Legislature, and one which was pertinent to the question at issue—a case in which the Government of the day exercised undue power and influence in order to pass a measure—

The Hon. the SPEAKER called upon the honorable member to confine himself to the question.

The Hon. Mr. ROBINSON thought irrelevant matters had been introduced during the discussion, but, when he heard the Hon. Sir F. Dillon Bell speaking on those matters, he thought the

*Hon. Mr. Robinson*

honorable gentleman should be much better acquainted than himself with what was irrelevant, and he therefore followed the honorable gentleman's example. Anything he said was only for the purpose of rebutting some remarks that had been made by that honorable gentleman. He would point out that on former occasions they had always passed important measures at the very end of a session, and he did not think they should make an exception on this occasion. They had always brought the session to a close earlier than people generally expected. It was true they now appeared to be in the same state as they were a month ago, and they might go on *ad infinitum*, and be in session the whole year round, if they continued to conduct the business as it had been conducted this session. Parties in another branch of the Legislature had been equally balanced, and business had been at a stand-still. However, he believed there was now a great majority in favour of the existing Government, and, if that were so, it was to be expected that business would go through the other branch of the Legislature much more rapidly than hitherto. The Colonial Secretary said the same time would be given to the Council to discuss any measures brought down as was occupied in the other branch of the Legislature in their consideration. This was not the time to object, for the proper time would be when the measures were brought down and they were asked to hurry them through; but they had no right to suppose that anything of the sort would take place. He would support the motion for meeting to-morrow.

The Hon. Mr. BUCKLEY said the Hon. Captain Fraser had urged, as a reason for hurrying through very important business at the end of the session, that they had done so on former occasions; but he had heard that honorable gentleman and several others regret, during many sessions, that the Council was obliged to be placed in that position, and he understood them to have resolved that they would not be placed in the same position again. During the present session they went so far as to alter the Standing Orders so that important Bills might be introduced in the Council first, and the necessity for rushing them through at the close of the session prevented. He hoped the Council would refuse to allow such a state of things to exist this session as had existed during previous sessions. If the Council must be prorogued at an early date, then business must be put aside. He was satisfied with the assurance given by the Colonial Secretary, that the Council would have sufficient time to consider any important business; but he did not think that was consistent with the remark that the honorable gentleman hoped the Council would be prorogued early in the beginning of the week after next. One very important measure was not yet out of Committee in another place. He would ask the honorable gentleman if it would not be possible to have the Land Bill brought before the Council at a very early date, so that as much time as possible might be afforded for the consideration of so very important a measure.

The Hon. Mr. MILLER said it was quite

evident that the position in which the Council was placed was this: They were likely to have the prorogation early in the week after next, and in the meantime they were to have the Land Bill, the Loan Bill, and possibly one or two equally important measures before them. Any honorable member who considered the amount of work there was to do in reference to these Bills would see that next week would be a very difficult one to get through. Apart from the most important nature of that task, he thought it was the duty of the Council to pass a resolution to the effect that they would not consider these very large measures at the last moment in this hurried way. If that were known in another place, it might, and he hoped it would, have the effect of somewhat shortening what he might call the apparent waste of time that took place elsewhere. Honorable members of the Council got weary of waiting for three or four months, with very little work to do, and then they left Wellington in the most important part of the session. He was very glad indeed that the Hon. Mr. Buckley had given notice of a call of the Council, which he would certainly support. For himself, he did not see how the Government were going to prorogue Parliament so soon as it appeared they expected to be able to do, and at the same time to pass these important measures. He thought the best plan would be to adjourn the session for a couple of months, and let them come back at the end of January or the beginning of February, because he thought they were all heartily tired of the session, and anxious to go to their homes.

The Hon. Mr. MANTELL did not think any serious harm could be done or any indecent hurry introduced into their proceedings without the consent of the Council. The matter rested with the Council itself. The Colonial Secretary might, in as delicate a manner as possible, dictate to them what business they should take; but it rested entirely with the Council how long they should take to consider any measure submitted to them. Two or three sessions ago he had the honor to point out to the Council that they really held the power in their own hands, and were not obliged to commit themselves to anything of which they conscientiously disapproved. He did not think there was any real reason for sitting to-morrow, looking at the business before them. On the contrary, he thought that probably, as in another place it was proposed to continue the labours of legislation to-morrow, on Monday they would have before them some measures which might require earnest and constant attention during the ensuing week. Whatever measures might come before them, he really trusted the Council would resolutely set its face against being hurried into the adoption or rejection of any important measures. He would certainly vote against adjournment to any earlier period than Monday, and during next week he hoped the Council would unanimously refuse to be hurried in the consideration of any measure of great importance.

The Hon. Dr. GRACE agreed with a great deal that had been said by the Hon. Mr. Mantell. But, as supplementing his remarks, he would say

he thought the Council was bound by the necessities of the position to sit whenever the Government requested it to do so. Having done that, the Council would be perfectly justified hereafter in taking whatever time they chose for the transaction of public business. The whole of the mistakes in the past appeared to have resulted from the fact that no members had coalesced in the Council to delay the passage of Bills. On the occasion referred to by the Hon. Mr. Robinson he (Dr. Grace) would have resisted the Bill, in spite of the fact that the Governor was waiting; but he was taken by surprise, and before he could open his mouth the Bill was passed. Had it not been for that, he would have resisted the Bill single-handed for the whole day.

The Hon. Colonel WHITMORE said the Hon. Sir F. Dillon Bell had delivered a very severe lecture to him. That honorable gentleman delivered a lecture to him on every occasion that he had risen to reply on behalf of the Government. He was always expressing wonder how he (Colonel Whitmore) could do such and such a thing, and accusing the Government of degrading the Council. It was rather hard measure to press him to explain the exact course the Government would take in regard to their policy something like twelve hours after the decision of the House was taken in another place with regard to its main proposal. However, he undertook to do the utmost that was reasonable, and gave all the information in his power. For doing that he received his chronic lecture from the Hon. Sir F. Dillon Bell. But he did not attach much importance to that. Notwithstanding all his high-fluting statements about the indignity put upon the Council, that honorable gentleman was a member of a Government which introduced to the Council a large series of Bills during the last six or eight days of a memorable session. Some of those Bills were of the greatest importance, and they culminated in one which he endeavoured to talk out of the Council on the day of prorogation. How did the honorable gentleman's colleagues behave towards him (Colonel Whitmore) on that occasion? They sent him a message that they would adjourn the prorogation, and send the Governor away, if he did not stop speaking, as they were determined that the Bill should pass. That was what he called putting force upon the Council.

The Hon. Sir F. DILLON BELL asked what Bill the honorable gentleman referred to.

The Hon. Colonel WHITMORE said it was a Bill sent up on the 18th September, 1870.

The Hon. Sir F. DILLON BELL said the honorable gentleman ought to know he was not in office at that time.

The Hon. Colonel WHITMORE had no reason to know that the honorable gentleman was not then in office.

The Hon. Sir F. DILLON BELL said the honorable gentleman was entirely wrong. He was in England at the time.

The Hon. Colonel WHITMORE said the honorable gentleman was still a Minister. He came back from England a Minister. He might not have been personally responsible for that act, but

he was a member of the Ministry which was responsible. There were a large number of Bills which the present Government were, perforce, obliged to bring in at this late period. And why perforce? Because, from the moment they took their seats on the Government benches in another place, they had been met with votes of censure and want of confidence again and again. It had only been by a sacrifice of personal pride that they pushed business through as fast as they could, and in the face of most aggravating taunts for so doing. Honorable members should not hold the Government responsible for the delay that had occurred. With regard to the Land Bill, which the honorable gentleman said had been so long in another place, if the honorable gentleman were a little more reflective, or disposed to be a little more fair, he would recollect that, although the Bill had been some months before the other House, it had only been under consideration a very few days indeed. Those few days he could very well afford to the Council for the consideration of that Bill. Whatever he might propose to the Council, it would be for the Council to do as it liked. If honorable members would undertake to get the Bill through for him as quickly as it was got through in another place they might still prorogue the week after next. The Hon. Mr. Miller suggested that they should adjourn for a few months. Of course it was open to the Council to do that, if they pleased. He had something to say to the Hon. Mr. Mantell. He thought it came very badly from him, or from any Wellington member, to protest against meeting on Saturday in order to dispose of the business.

The Hon. Mr. MANTELL wished to make an explanation. The aspect of the question suggested by the Hon. Dr. Grace had not occurred to him when he spoke. He entirely agreed with the opinion expressed by that honorable gentleman.

The Hon. Colonel WHITMORE said that in that case he would say nothing more on the subject. The Government were very anxious—and they had shown themselves to be so from the moment they entered office—to show every possible courtesy to the Council. They suggested a meeting on Saturday at some little inconvenience to themselves because they thought it would be a great convenience to honorable gentlemen to get home as soon as possible. If the Government were willing to bring forward no Bill they could possibly dispense with, it was not at all unreasonable to suppose, looking at the work of former years, that there would be sufficient time for the Council to consider all the measures before the prorogation. He did not think any honorable gentleman was justified in saying there was any discourtesy or any indignity placed upon the Council, after his having done all that was reasonable in the way of giving information to the Council with regard to the intentions of the Government. If the Council did not think fit to sit to-morrow, it was in their power to do as they pleased; but in future he would not endeavour to induce honorable gentlemen to sit an extra day in the week.

Motion agreed to.

*Hon. Colonel Whitmore*

#### PROVINCIAL LIABILITIES.

The Hon. Mr. HALL asked the Hon. the Colonial Secretary, What was the sum standing to the credit of the several provinces, under the head of Provincial Liabilities, on the 30th June last; and whether the Government will take the necessary steps for restoring to the credit of the Liabilities Account of the former Province of Canterbury the sum of £30,000, more or less, standing to the credit of the Railway Renewal Fund of that province, and paid into the Public Trust Fund?

The Hon. Colonel WHITMORE said that the honorable gentleman's question was a very natural one. He had made inquiries at the Treasury, and he thought the answer would be satisfactory to the honorable gentleman. The sum standing to the credit of the several provinces under the head Provincial Liabilities on the 30th June was £45,888 3s. 8d. The sum standing to the credit of the Railway Renewal Fund on the same date was £32,715, and the amount was transferred from the Trust Fund to the credit of the account "Provincial Liabilities, Canterbury," on the 14th September last. Therefore what the honorable gentleman wanted had already been done.

#### FISH PROTECTION BILL.

On the motion that this Bill be read a third time,

The Hon. the SPEAKER said the Hon. Captain Fraser had put a question to him as to whether this Bill should not have been printed in Maori as well as in English. On looking over the Standing Order he came to the conclusion that this Bill did not come within the rule, as not "specially" affecting the Maoris. At the same time he would take this opportunity of mentioning that he thought it highly desirable that all Bills affecting the Maori race introduced at the beginning of the session should be introduced both in Maori and English.

Bill read a third time.

#### NEW PLYMOUTH HARBOUR BILL.

This Bill was further considered in Committee.

Clause 19.—Land revenue of Board set aside for interest and sinking fund.

The Hon. Mr. BUCKLEY moved, That the Chairman do leave the chair.

Question put, "That the Chairman do leave the chair;" upon which a division was called for with the following result:—

Ayes	...	...	...	...	10
Noes	...	...	...	...	14
Majority against ...					4

#### AYES.

Colonel Brett,	Mr. Holmes,
Mr. Buckley,	Mr. Nurse,
Mr. Chamberlin,	Mr. Peacock,
Mr. Edwards,	Mr. Pharazyn,
Mr. Hart,	Sir J. L. C. Richardson.

#### NOES.

Captain Baillie,	Mr. Mensies,
Sir F. Dillon Bell,	Mr. Miller,

Captain Fraser,  
Mr. Hall,  
Mr. G. R. Johnson,  
Lieut.-Colonel Kenny,  
Mr. Lehmann,

Mr. Paterson,  
Mr. Robinson,  
Mr. Russell,  
Colonel Whitmore,  
Mr. Williamson.

The motion was consequently negatived.

The Bill was reported to the Council with amendments, and the third reading fixed for next sitting day.

#### MINES BILL.

The Hon. Colonel WHITMORE, in moving the second reading of this Bill, said that as to the necessity for it there could be very little doubt, and the Council would therefore not hesitate as to the desirability of affirming the principle. Whatever difference of opinion might exist would probably extend only to certain provisions in certain clauses of the Bill, and he hoped that honorable gentlemen would find, when they came to examine the measure in Committee, that very great care had been bestowed upon the Bill, and that upon explanation many of the apparent defects would disappear. This Bill consolidated not less than fourteen Statutes that were repealed by one of the schedules; and it consisted of two parts—first, the governing provisions; and, secondly, the regulations, which were contained in the appendices. Bills of a similar nature had been brought in from year to year under different Ministries: these had almost every year been found to contain some defect, or to leave room for some improvement. They had been now carefully compared, re-arranged, and curtailed as much as possible by the Gold Fields Committee which sat for two months in another place, and was composed of gentlemen who were specially well informed upon the subject. It was therefore likely that this Bill, being the result of so much labour and so much local special knowledge, was in as good a shape as they were ever likely to have a Mines Bill. Of the objections to this measure which had been brought to his knowledge there were none of very great importance which he would not be able to meet and explain in Committee, with the exception of any that might still be found by Dr. Hector. One objection that gentleman made was met by the existing state of the law. Dr. Hector pointed out that there was no efficient provision for the inspection of mines; but it was found, by reference to "The Mines Act, 1874," that there were the most ample and complete provisions possible for the inspection not only of ordinary mines, but of coal mines. He believed that the objection arose from some accident that occurred at a coal mine which was worked under the Public Works Act, and which, he believed, was in some way or other exempted from the operation of the Act of 1874. In going through the clauses of the Bill it would appear, first of all, that several technical defects in the existing law had been amended; secondly, that provisions had been introduced for the better proclamation and for the better and more efficient cancellation of gold mining districts; and, thirdly, that defects in mining titles arising from the accidental lapse of renewal certificates, were now provided for by heavy

penalties in lieu of forfeiture. There were better safeguards with relation to the issue of mining leases, and there were provisions in clause 45 for the sale of land in mining districts nearly the same as in the Act of 1866. Then, under one of the first subsections of clause 52, there were regulations as to matters of principle in the Statute itself, which were not to be varied except by the tacit consent of the Assembly. It would be found that there was a provision for the extension to an area of 320 acres of agricultural leases in mining districts. He thought the area was previously limited to 200 acres. That was not an alteration of a character which was likely to produce any very great objection; and, if honorable gentlemen did not agree with it, of course it could be altered in Committee. The object of the provision was to render settlers better able to comply with the conditions it was necessary to impose. Part 2 related to the administration of justice, and provided for the better definition of the right of appeal from the Warden's Court to the District Court above. There were several provisions for the drainage of mines, and for the better definition of mining property, which was declared to be a chattel interest, and would be dealt with as such. Another point to which honorable members of the Council would doubtless pay considerable attention was the protection of the interests of owners of private property. There were various protections. For instance, the owners of stock whose animals might trespass upon water-races and sluices were not liable; mining on private property was strictly prohibited under severe penalties; the drainage of streams was regulated, and a certain quantity of the water only was allowed to be turned from its natural channel. The subsections of clause 31 dealt with almost every possible case in which the interests of private property could conflict with mining interests. In dealing with the Second Part the Gold Fields Committee had the advantage of the labours of the Wardens, who were summoned to Wellington by the Government, and met in conference. The Wardens drew up a complete code of regulations applicable to the then existing legislation. This Bill, he should have mentioned, affected the South Island only—it was not applicable at present to the North Island gold fields. The rules which had been drawn up had been, with some few modifications, adopted and incorporated in the appendices, which were very complete indeed: in fact, they were a very material portion of the Bill. One of the alterations in the Bill was, that a sluice-head of water was reduced from 66 feet to 60 feet, at the recommendation of the Engineer; and simultaneous applications for agricultural sections were to go to auction, as in the case of deferred-payment selections, in lieu of the ballot-box. A Bill of this kind had been for a long time wanted: in fact, the best proof of the great necessity for the Bill was the fact that in almost every successive session there had been some attempt to codify the existing mining regulations, and to bring about a complete mining law. This effort was at least the most hopeful that had been made, and, although the subject was one upon



which very few honorable gentlemen had a very extended experience, and there would be of course a temptation to treat it in the way that the Hon. Mr. Miller once recommended them to treat insurances—in *globo*—still he thought that, with the attention and assistance of those honorable gentlemen who had some little acquaintance with this subject, and with their own attention to those portions with which they were familiar, they would be able to do all that it was desirable to do with the Bill. They could do a little more, probably, than they did with the Shipping and Seamen's Bill which passed through the Council on a former occasion; but this was just one of those Bills which it was not desirable to tamper with very much, unless where some well-known principle was contravened by its provisions. With those few remarks, he begged to move the second reading of the Bill.

The Hon. Mr. HART said this was one of those Bills which must to a certain extent be taken upon trust, because it was drawn no doubt by a skilled draftsman, who had had placed before him all the previous Acts, with those amendments which had been suggested by the experience of persons in another branch of the Legislature acquainted with the facts of the case. After looking through the Bill and observing the general care which was manifested in its preparation, it would be difficult and even dangerous to attempt to amend an Act drawn under the circumstances and conditions under which this Act was drawn. He mentioned that because he felt convinced that very few honorable members of the Council would be able to read the Bill through in such a way as to enable them to make any material and effectual amendments. If any amendments were to be made they must be made in Committee.

The Hon. Mr. MENZIES said there was not the slightest doubt that the Bill had received very careful consideration and skilful treatment, and it was all the more necessary, on that account, to scrutinize it with equal care in the Council. He did not know whether the Bill was the result of seven years' incubation, but he felt quite certain that it had been carefully considered for a long time, and that the Gold Fields Committee in another House—containing a great number of members who were practically familiar with the work of gold fields—had, during the early part of the session, been carefully drawing it up. But the Council must have this in recollection: that, although there could be no doubt the Bill had been drawn up with care, intelligence, discrimination, and knowledge, yet it had been drawn up for the most part by honorable members who regarded this subject chiefly from one point of view, and that it was necessary it should be looked at from other points of view before finally receiving the *imprimatur* of the assent of the Legislature. Therefore he must confess that his first impression was that, coming to the Council at this very late period of the session, when they could not bestow upon it the amount of attention which its importance deserved, the Bill might very well stand over until next session, after they had shown the courtesy to the other House of

*Hon. Colonel Whitmore*

reading it a second time. The present Acts might be made to work with indifferent satisfaction for a few months longer, and then the Bill might be brought forward at an earlier period next session. But, if they were to consider the Bill at all this session, it must be considered by a Select Committee. The Waste Lands Committee would be quite incapable of undertaking the work in addition to its present duties. Therefore, if the Council were seriously anxious to consider this Bill, its consideration must be relegated to a Select Committee. He would not himself move that a Select Committee be appointed, but he would suggest to another honorable member a list of members who were not busily engaged on other Committees, and perhaps he would move that a Select Committee be appointed.

The Hon. Captain FRASER did not intend to say much upon this subject, but he must say that in many particulars he did not approve of the Bill. He might refer to one clause, clause 66, by which not only would the runholders be unfairly dealt with, but the public estate would be seriously injured. That clause gave a pre-emptive right of fifty acres to every occupier or owner of a garden, and these pre-emptive rights would be largely exercised, to the detriment of the public estate. The Bill could only be considered together with the Land Bill, and it ought not to be considered until that Bill came down. He should not pay the slightest attention to the Bill; if his name were put upon a Committee, he should refuse to attend the meetings, and should not in any way be a party to its passing.

The Hon. Mr. LAHMANN, having had an intimate acquaintance with mining, considered that a better constructed Bill than this could not have been brought down. Every care had been taken to consolidate all the mining laws in existence, and the work had been well done. Still, he agreed that it should be referred to a Select Committee, and he should move in that direction after the Bill was read a second time.

The Bill was read a second time, and referred to a Select Committee.

The Council adjourned at twenty minutes past eleven o'clock p.m.

## HOUSE OF REPRESENTATIVES.

*Friday, 23rd November, 1877.*

East and West Coast Railway—Captain Johnstone—E. MacLaurin—Hospitals and Charitable Aid—Manawatu Land Orders Bill—Education Bill—Supply.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

### EAST AND WEST COAST RAILWAY.

Mr. WOOLCOCK (in the absence of Mr. Kennedy) asked the Minister for Public Works, If he will inform this House what steps are being taken to complete the survey of the railway to connect the East and West Coasts of the Middle Island, and if the same will be proceeded with during the recess?

Mr. SHEEHAN said the surveys were now being made, and it was the intention of the Government to continue them during the recess, until they were completed.

#### CAPTAIN JOHNSTONE.

Mr. COX asked the Minister for Lands, Whether the Government intend to carry out the recommendation of the Public Petitions Committee in the case of the petitioner Captain J. C. Johnstone? He understood that the matter had been before the Public Petitions Committee, who, after carefully considering it, had recommended that the prayer of the petition should be granted.

Mr. MACANDREW said the Government intended to place £200 on the Estimates for the purpose of carrying out the recommendation of the Committee in this case.

#### R. MACLAURIN.

Mr. COX asked the Minister for Lands, Whether the Government intend to carry out the recommendation of the Public Petitions Committee in the case of the petitioner Robert MacLaurin?

Mr. MACANDREW said the papers relating to this case had gone astray, but he would promise the honorable member that the matter should be inquired into by the Government.

#### HOSPITALS AND CHARITABLE AID.

Mr. STEVENS asked the Colonial Treasurer, Whether the Government will restore to municipalities the excess of cost of hospitals and charitable-aid expenditure beyond the sums properly chargeable? Owing to a defect in the legislation last year the municipalities situated in those provincial districts in which the Counties Act had not come into operation had had to expend certain moneys on hospitals and charitable aid in excess of the sums properly chargeable. He wished to know whether the Government would restore to the municipalities the sums which had been expended in excess.

Sir G. GREY replied that in some cases there had been deductions made which would have to be refunded, while in other cases over-payments had been made. The amounts almost balanced one another. The matter was under arrangement, and a return would be laid on the table showing the exact amounts that had been paid to those local bodies.

#### MANAWATU LAND ORDERS BILL.

The House proceeded to the consideration of the amendments made by the Legislative Council in this Bill.

Mr. SHEEHAN moved, That the House disagree with the amendments made in clauses 4 and 12. The effect of the alterations would be to allow persons in the colony two years within which they might exercise the land orders instead of one year, which he thought too long.

Mr. FOX, who was inaudible in the gallery, was understood to strongly object to the amendments being disagreed to.

Question put, "That the amendments be dis-

agreed to," upon which a division was called for, with the following result:—

Ayes	...	...	...	40
Noes	...	...	...	14
Majority for				26

#### AYES.

Mr. Baigent,	Mr. Murray-Aynsley,
Mr. Ballance,	Mr. Nahe,
Mr. Barff,	Mr. O'Rorke,
Mr. J. C. Brown,	Mr. Richardson,
Mr. J. E. Brown,	Mr. Richmond,
Mr. Bryce,	Mr. Rolleston,
Mr. Bunny,	Mr. Rowe,
Mr. De Lautour,	Mr. Sharp,
Mr. Dignan,	Mr. Sheehan,
Mr. Fisher,	Mr. Shrimski,
Mr. Gisborne,	Mr. Swanson,
Sir G. Grey,	Mr. Taiaroa,
Mr. Hamlin,	Mr. Takamoana,
Mr. Hislop,	Mr. Tawiti,
Mr. Hodgkinson,	Mr. Thomson,
Mr. Joyce,	Mr. Tole,
Mr. Kelly,	Mr. W. Wood.
Mr. Macandrew,	
Mr. Macfarlane,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Rees,
Mr. Murray,	Mr. Reynolds.

#### NOES.

Major Atkinson,	Mr. Ormond,
Mr. Bowen,	Mr. Sutton,
Mr. Gibbs,	Mr. Wason,
Dr. Henry,	Mr. Williams.
Mr. Hunter,	
Mr. Johnston,	<i>Tellers.</i>
Mr. McLean,	Mr. Curtis,
Captain Morris,	Mr. Fox.

The amendments were consequently disagreed to, and Messrs. Sheehan, Kelly, and Richmond were appointed Managers to prepare reasons for disagreeing.

#### EDUCATION BILL.

The House proceeded to the consideration of the amendments made by the Legislative Council in this Bill.

Mr. SHEEHAN said that, though a number of amendments had been made in the Bill by the other House, most of them were of no great importance, and did not materially affect the provisions of the Bill. There were, however, certain amendments made to which he would ask the House not to agree. The first was the striking out of the appropriation clause, No. 8, and the second was the insertion of three new subsections in clause 83. Two of those new subsections were as follow:—

"The school shall be opened every morning with the reading of the Lord's Prayer. No child shall attend at the reading herein provided for if his or her parents or guardians inform the Committee or the teacher that they object to such attendance.

"The school buildings shall be available, on days and at hours other than those used for public school purposes, on application by the

ministers of the several denominations, or person or persons appointed by them, for the religious instruction of the children of the respective forms of faith, and the Committee shall from time to time prescribe on what days, at what hours, and for what periods such instructions shall take place by each: Provided that no child or children shall be allowed to attend at such instruction except on a written request addressed to the teacher to that effect, signed by the parents or guardians of such children."

He thought these provisions should be omitted, for, while he hoped that he would never be wanting in reverence for the Lord's Prayer, he thought that they should not introduce even as little of the religious element as that into a measure which was intended to be purely secular. He conceived that no Education Bill would be thoroughly satisfactory unless it was purely secular, and it would not be purely secular if the Lord's Prayer were allowed by it to be read in the schools. He moved, That the amendments made by the Legislative Council in the Education Bill be agreed with, with the exception of those in sections 8, 63, and 83. And, if that motion were agreed to, he would propose that the honorable member for the Taieri, the honorable member for Kaiapoi, and himself be appointed to draw up reasons for the disagreement.

Mr. GIBBS would like to know whether the Government approved of the principle of cumulative voting.

Mr. SHEEHAN replied that he entirely approved of it.

Mr. SWANSON said that the system proposed by the Legislative Council in its amendments had been tried in Auckland, and had worked most satisfactorily.

Mr. BOWEN was understood to say that the system of cumulative voting was an experiment worth trying. When the Bill was being drafted he had carefully considered the whole question, and had thought of introducing the principle of the provision which had been inserted by the Legislative Council. The principle had been adopted in England, and the London School Board had been elected under it since 1870; but it was still an open question whether the system of cumulative voting fulfilled the intentions of those who advocated it. On the whole, he had thought it better not to introduce it originally into the Bill, as the system was still an experiment. But, as the experiment might be worth trying, he hoped the House would agree to this amendment suggested by the Legislative Council, especially as it was calculated to give minorities a voice in the elections.

Major ATKINSON approved of the system of cumulative voting. He was sorry to hear the Minister of Justice say that the Government wished to reinstate the appropriation clause, which had been struck out by the Legislative Council. As the House had thought proper to strike out the capitation clauses—which, in his opinion, was a great mistake—it seemed to him that it would be very much better to strike out the appropriation clause also, and to make the necessary provision for education on the Esti-

mates. Then the question of imposing capitation fees would be left open for decision in a future session of Parliament, when they had ascertained the sum that would be absolutely required for the purposes of education, and how far the consolidated revenue was able to bear the burdens put upon it. He would therefore like to see the appropriation clause omitted, and the funds required for this year put upon the Estimates.

Mr. MACANDREW said that, for his own part, he would have preferred to have disagreed with the amendments and dropped the Bill. The Bill was not required. In Otago the people were satisfied with what they had already, and he believed that in Canterbury the people found that their present system worked satisfactorily. The Bill, if passed, would add to the public burden to an enormous extent. In Otago alone the school fees, which under the Bill would be done away with, amounted to £17,000 a year, and the people were quite willing to pay that amount in school fees. As it was now proposed, the Government would be called upon to provide the money, and the revenue would be lessened by that sum. If the school fees in Otago amounted to such a large sum, the amount over the whole colony would be much greater. If Managers were to be appointed, he hoped that they would consider the amendments made by the Legislative Council separately, because he believed that a majority of members in the House would agree with the one while they could not agree with the other. He might state that, in his belief, one of the effects of the Bill would be to greatly reduce the salaries of the teachers in Otago.

Mr. MURRAY-AYNSLEY thought the Minister for Lands was rather wide of the mark when he said that the people of Canterbury were satisfied with the existing state of things. As a matter of fact, they were not at all satisfied. He would point out that the Legislative Council had altered clause 63 in such a way that the elections of School Committees would be held on the first Monday in January in each year, instead of on the fourth Monday in the month. In his opinion that was an amendment which should not be agreed to, inasmuch as the first Monday might be New Year's Day: at any rate, it would be in the holiday week, and it would be very difficult to get a meeting of the householders at such a time.

Mr. McLEAN was sorry to hear the Minister for Lands express a desire that the Bill should be dropped, because it was a measure which was introduced by the late Government, and which had been approved by a large number of honorable gentlemen on both sides of the House. He was glad the Legislative Council had struck out the appropriation clause, because if it were left out the House would have an opportunity of reinstating the capitation clauses. He was sure that a majority of the members would now be willing to reinstate those clauses. He would be very glad to see those clause reinstated for this reason: that it would relieve the Consolidated Fund of the amount of £30,000. It would be better than putting the compulsory clause into force. If parents were obliged to pay for the education of

*Mr. Sheehan*

their children whether they sent them to school or not, they would take care to send them to school. He trusted the capitation clause would be reinserted in the Bill.

Mr. MONTGOMERY hoped the Managers who were to be appointed would carry out the wishes of the House as proposed by the Minister of Justice. He trusted the clause providing for the payment of education, which was struck out, would be reinstated. What they wished for was free education for the people, instead of the parents of children, many of whom were poor, having to pay for that which was essential to order, good government, and the maintenance of peace throughout the colony. Let those classes that had benefited most pay a fair proportion of the cost of education out of their wealth acquired in this country. The consolidated revenue would be able to bear all the reasonable charges put upon it, if they took care that those who were able to pay did pay in proportion to their means. He hoped they would not tax the parents of poor children for that education which was for the good of the whole colony. He hoped the Managers would not consider that the House was lukewarm in this matter, as he felt quite certain that the House would strenuously maintain the clause.

Mr. BOWEN said that it was necessary to reinsert section 8, as without it there was no provision for securing the distribution of the money voted by the House according to average daily attendance. This was an essential provision of the Bill, without which the distribution of the money was left in the hands of the Government of the day. The honorable member for Lyttelton had directed attention to the alteration made in clause 63 by the substitution of the first Monday in January for the fourth as the day on which meetings should be held for the election of School Committees. He knew that the days appointed in the different sections of the original Bill were all carefully gone through so as to make them fit in, and he should like to have time to look into the proposed alteration, in order to see whether it would be satisfactory. The Managers appointed would feel bound to maintain the position taken up by the House they represented.

Mr. HAMLIN objected to the system of cumulative voting. It had been in force in the Province of Auckland. He had seen five elections carried out under it, and it had proved very unsatisfactory indeed. It was opposed to the views of the people, and he should like to see it done away with altogether.

Mr. REID would like to see his name omitted as one of the Managers to be appointed. He was strongly of the opinion that this House had committed a great blunder in dispensing with the payment of school fees or with the levying of a capitation rate. He could not see on what ground they proposed to take over from the parents, who were prepared to contribute towards the education of their children at the public schools, that burden which they were willing to bear, and required that they should send their

children to school as a matter of public gratuity. They made a great cry about the poor man. If the poor men were not in a position to pay, they would in every case get their children educated free by the State. The argument of the honorable member for Akaroa was nothing but the purest socialism that could be put forth in any Assembly. The argument was that the children of poor parents must be educated at the expense of the State. If that were the case, the State should also see that they were well clothed and well fed. Why not go further and say that these poor children must be maintained at the expense of the wealthy? No doubt it was the duty of the State to see that no children were left uneducated; but the parents would look upon the education of their children as a matter of greater importance if they had to contribute towards the expense whether they sent their children to school or not. There was no provision to compel them to send their children to school; and the effect would be, in the province from which he came, that, instead of having better education and more regular attendance at the schools, they would do away with the payment of the fees which was an inducement to the parents to send their children to school, inasmuch as they would not like to pay for a benefit they did not receive. He thought it was a great mistake to keep the schools open solely at the expense of the State, and to leave it optional with the parents to send their children or not. For those reasons, he hoped that the honorable member would not name him as one of the Managers. With regard to the reading of the Lord's Prayer at the opening of the schools, he would rather be in favour of, and not against, the schools being so opened.

Mr. REYNOLDS hoped, for the very reasons given by the honorable member for the Taieri, that the House would not agree to his name being left out as one of the Managers. He (Mr. Reynolds) would be in favour of coming to a compromise with the other branch of the Legislature to insert section 8, on condition that the rating clauses were also inserted. He believed there would be no difficulty in doing so, and in getting the other branch of the Legislature to reconsider their decision in regard to these clauses. His own impression was that the other branch of the Legislature had struck out the 8th clause with the view of giving this House an opportunity of reconsidering its decision regarding the rating clause. For that very reason he should like to see the honorable member for the Taieri, with the opinions he expressed, appointed one of the Managers; and he trusted the honorable member would not object to be appointed. It was possible the matter would be so arranged as to give an opportunity to this House to reconsider its decision with regard to the clauses that had been struck out. He was perfectly certain that, unless there were some means of taxation for State education, the Bill would prove a dead-letter in the colony. He was satisfied that the revenue would not stand the cost of education, and some other means would have to be provided for supplementing the contributions from the colonial chest. There were a large number of people in the colony

who were now paying, either in the shape of school fees or rates. In Nelson they paid a house rate, and also a capitation rate. In Auckland and other parts of the colony the people had contributed towards the cost of education, and they would not object to do so now. If it were once understood that the State was going to bear the whole expense of education, it would be a difficult thing, on some future occasion, to get the people to contribute for the maintenance of education.

Mr. J. E. BROWN did not see why the House should rescind the resolution it had come to a few days ago with regard to this question. Some honorable members said that the consolidated revenue would not be able to bear the burden, while others said that it would be a kind of compulsion upon the people to send their children to school if a capitation rate were imposed. As to whether or not the consolidated revenue would be able to bear the expense, the Colonial Treasurer was the best authority to decide that question. As to the taking of the £30,000 from the revenue, who paid the money but the people by way of taxation? Did not the people already contribute to the consolidated revenue? Then, because the State had not already taken out of the pockets of the people this £25,000 or £30,000, the House was asked to put a special tax on. It would necessitate two machineries to collect the tax, which meant, at the very least, an increased expense of 5 per cent. He saw no economy in that, but he did see unmixed evil in it, and a conflict of authority in the jurisdiction of the schools. If the people were called upon to pay a special rate you must give them corresponding power. Again, with regard to inducing people to appreciate education, as contended for by the honorable member for the Taieri: This was a compulsory Education Bill, inasmuch as it empowered a policeman to summon the parents who did not send their children to school, and, that being so, what was the necessity for imposing a tax of 10s. per head on the children with a view of increasing the inducement to parents to send them to school? There was no need for inducement, because the parents were compelled to send their children to school. He hoped that the House would not give way on that point, and he believed that it had only been introduced in another place in order to compel poor people to pay an extra rate. So strongly did he feel upon that point that he would almost exhaust all the powers of the House in order to maintain the decision it had arrived at. He trusted that no member would be appointed to the Conference who had declared his opinion as the honorable member for the Taieri had done—a gentleman who seemed to think that nothing was right except what was done in Otago, and who had no ideas beyond what he thought was good for his district, the Taieri. It was time that honorable members rose above those little parochial views, and considered questions of this kind as they would affect the colony as a whole. He hoped, therefore, that members would be appointed to the Conference who would see that justice was done to the people, and that, as their children were to be

*Mr. Reynolds*

dragged into the schools, they should not have any more taxation imposed upon them.

Mr. HODGKINSON said that, as he understood it, the discussion was whether education should be altogether free and at the same time compulsory, or whether parents of children should be subjected to taxation in some shape at the same time as education was compulsory. Although he admitted that in Otago the system of charging school fees had worked well, still it must be remembered that under that system there had been no compulsory education. He agreed with the honorable member for Ashley, that it was on that point the question hinged. In Otago it was voluntary with the parents whether they sent their children to school or not, and those who did were quite ready to pay the fees; but in this Bill there was a compulsory clause, and therefore it was unreasonable to make the parents pay the fee of 10s. per head for their children. With regard to the argument used by the honorable member for the Taieri, that the system advocated by the honorable member for Akaroa was a kind of communism, he could not see that there was any communism in it. This was a law for the well-being of society. The honorable gentleman contended that the State might as well clothe the children of parents who could not afford to do so as give them education for nothing, and deduced from that statement that the principle advocated by the honorable member for Akaroa was communism; but that was done in every country in which there was a poor-law, and therefore the argument about communism was altogether beside the mark. This was no matter of theory. There had been very many years' experience of it. In the United States education was both compulsory and free, and not only was primary education given, but the very best education—so good that the children of the richest persons were sent to the public schools. For these reasons he would support the honorable member for Akaroa and the honorable member for Ashley in maintaining the clause, and providing that there should be no tax upon parents unless education was optional.

Mr. KENNEDY hoped that the omission of the 8th clause would be agreed to. If the House were legislating for the children of poor parents, unable to pay school fees, the argument that it should be retained would be good; but if the question were examined it would be found that the parents of 90 per cent. of the children who attended the public schools were in a position to pay for them—it was a very small minority of the parents who were unable to pay. The mere fact that education was compulsory added no force to the argument, because there was ample authority with the School Committees to exempt children from fees whose parents could not pay them. Another reason why he would like to see this clause omitted was, that under it a great injustice would be done to a large section of the community. It was admitted on all sides that the Catholic community of the colony could not avail themselves of the provisions of the Bill, and the members of that denomination numbered one-sixth of the whole population. To force upon them a system in which they could not

participate was a gross injustice, and it was all the greater when it was proposed, as was the case in this Bill, that the expense of education should be met out of the consolidated revenue, to which Catholics contributed just the same as other sections of the community. He was aware that it was out of place to go into general arguments upon the Bill at that stage, but, as he had been unavoidably absent when it was previously discussed, he could not help referring to one or two points. There were a large number of members of the House who professed themselves desirous of doing justice to the Catholic portion of the community if it could be done without injury to the educational establishments of the country. Such arguments as that generally came from honorable members representing those parts of the country where aided schools did not exist. Did they come from Nelson, Westland, Hawke's Bay, or any other place where such schools were established? No. On the contrary, honorable members from those places were to be found supporting a system which would provide for the continuance of aided schools. He did not see why the Legislature should be desirous of giving the Government a monopoly in education any more than in other branches of the public service. Was it that the Government were more economical in administration than private individuals? He thought not. It had been contended over and over again in the House that the railways could be managed much more economically by private individuals than by the Government, and the same thing could be said of schools. He could speak with some experience upon this subject, because aided schools had been successfully established for twelve years in Westland, and for twenty years in Nelson. Let the House consider the injustice that would be done under the Bill to those particular provinces. The Catholic community of Westland had gone to very large expense and made very strenuous efforts in behalf of education. They had provided very good schools at a very large outlay, and were under obligations at the present time to their educational staff; but under the Bill there was no provision to continue those schools even for the current year. If the reports of the inspectors were to be taken as a test of comparison between the systems of education in the public schools and in the aided schools, it would be found that education in the aided schools was in no way second to that in the public schools, while it was much more economical. Another objection raised to the aided schools was that they were the means of keeping up sectarianism and heart-burnings of various kinds; but such opinions were advanced by those who came from districts in which there were no aided schools, and where, consequently, there could be no experience of the effect of the system. Such things could not be said of Nelson, Westland, and other places where there were aided schools. It had been said that denominationalism had been tried, and was a failure; but could there be a single instance pointed out in which the Government had supported denominational schools as they supported secular schools? If one system was to

be compared with the other, they should both be compared under the same circumstances. To say that denominational schools had failed, when they had been left almost entirely to their own resources, and that public schools had been a success, when they had had almost unlimited resources, was not a fair comparison. He was sorry that the Hon. the Native Minister should have advanced the opinion that nothing but secular schools should be established or could be a success: he was sorry, because it might be said that that honorable gentleman was a representative of the community of which he (Mr. Kennedy) was an unworthy member.

Mr. SHEEHAN said he represented the District of Rodney in the House, and no other section of the community. The people of Rodney were the only people he knew as member of the House.

Mr. KENNEDY had not stated that the honorable member said he represented any section of the community, but thought he was right in saying that the honorable gentleman's opinion would carry considerable weight against the claims of the Catholic portion of the community, because he was a member of it. In that respect he was sorry the honorable gentleman should hold such opinions as he expressed. No one could point to any instance in this colony, in the Australian Colonies, or in America, where the Catholics had an opportunity of establishing proper schools for themselves, that they had accepted public schools in preference to their own. There were places where the Catholics, through inability to establish schools of their own, were obliged to avail themselves of the public and mixed schools, and this was frequently put forth as an argument that they preferred the public schools to their own; but it could not be shown that they had accepted the public schools in any part of the colony where they had had an opportunity of establishing schools of their own. He desired to see this clause omitted, because if a system of school fees or capitation fees were adopted the community generally would stand upon a more equal footing. To say that £3 15s. per head should be paid upon all children attending public schools, and that nothing should be given to other schools which were equally well conducted as regards secular education, was a manifest injustice. In the town in which he lived the number of children attending the State schools was 600, and those attending the Catholic schools 200; and why should the 200 children be deprived of all aid while the 600 received as much as they required, no matter how extravagant might be the management of those schools? He desired to say that out of the 200 children 10 per cent. were not Catholics, and this was owing simply to the reason that parents were frequently dissatisfied with public schools, no matter how well they were conducted. Parents regarded it as an advantage to have the option of selecting between different schools. This separate system gave to the parents of children attending the denominational schools the option of sending them to public schools, and the parents of children attending aided schools had the opportunity of

sending them to aided schools whenever any source of dissatisfaction arose. A great cry was made about providing free education for the children of the poor, but, instead of this Bill producing that result, it would to a large extent provide education for the children of those who were well able to pay for it. Moreover the very worst method of relieving the taxation of the poor was to do it by direct contributions from the consolidated revenue. Take the case of a person owning property of the rateable value of £2,000 or £3,000 a year, but who had no family: what did he contribute to the consolidated revenue as compared with a person with a family of eight or ten children? What he paid was a mere fraction in comparison. Therefore to make the cost of education a charge on the consolidated revenue was a manifest injustice. If they were to have a system of free education, to be paid for in any other way except by capitation or school fees, it ought to be by direct taxation, and in that case property would be called upon to pay its fair share, instead of leaving the greater part of the burdens to fall upon poor people with large families. He felt the injustice of this measure to such an extent that he desired to record his protest against it in the most emphatic manner. He would therefore move, That section 8 be omitted from the motion; the effect of which would be the excision of the section from the Bill. He expressed himself strongly upon this occasion because he had not previously had an opportunity of recording his objection to the Bill. From first to last it completely ignored the feelings of a large section of the community, who had protested against it. They had petitioned the House, but their petitions had been altogether disregarded. It was well known to honorable members that the portion of the community to which he referred was altogether opposed to the Bill. He regarded the Bill as a most unjust measure, and he therefore moved the amendment.

Mr. MURRAY said the proposal to erase clause 8 opened up the question whether there should be free education or not. If they were to have compulsory education it was necessary that it should be free; but he did not agree with those who thought there should be a compulsory clause in the Bill. Free education did not come as a bounty from the gods, and if such a system were to be instituted its cost would have to be provided from some source or another. It was well known that the finances of the colony would not bear the increased cost which the maintenance of this system would entail, notwithstanding the absorption of the Land Fund. Therefore the people would have to be taxed to meet the expense of this free education, erroneously so called. To aid the cost, two courses were open to them. There might be either a capitation rate or school fees. He was in favour of the adoption of the latter course. If school fees were imposed and a moderate amount of assistance given the State would be relieved from the whole charge of maintaining the system. Were the free system adopted many people would regard the schools as charity schools, and would refuse to send their children to them.

*Mr. Kennedy*

Besides, people, as a rule, did not attach much importance to a thing for which they did not have to pay. He was not at all opposed to the amendment made by the Legislative Council in the religious clauses, and he could not therefore agree to the proposal that the amendments made in clause 83 should be disagreed to. It would be highly improper for them to declare by Statute that the future people of this colony should be brought up without religious training. It was one thing to make useful citizens by providing secular education; but to exclude all religious training, to deprive the various religious bodies of all opportunity for providing religious education for the children attending the schools, would tend to make education a curse rather than a blessing, and might lead to the creation of a class of educated scoundrels, who would be far more dangerous to society than the uneducated class could possibly be. He trusted the House would not disagree with the amendments made by the Legislative Council in clause 83.

Mr. ROWE could not help expressing his very great surprise at the remarks made by the honorable member for Bruce. The honorable gentleman seemed not to have a particle of faith in the ministers or the Churches of the colony. He seemed to think that the schoolmaster was to educate the children morally, religiously, and in every other respect. He had met with schoolmasters in his time who cared very little for the moral and religious teaching of the children placed in their care.

Mr. MURRAY said the honorable gentleman was misrepresenting him. If they desired, the ministers of the various religious bodies could have the opportunity to supply religious instruction, as provided in the amendment made by the Legislative Council.

Mr. ROWE said he had much more faith in the ministers of the colony than the honorable gentleman evidently had, but he held that religion should be taught in its proper place. He believed the ministers would discharge the duties properly belonging to the Churches with which they were connected, and would see that the children belonging to those Churches received proper religious instruction; but he did not believe in religious instruction being given in State schools. If the children were to be educated religiously, the instruction should be given outside the schools. The amendments made by the Legislative Council were altogether in the wrong direction. He trusted the House would not alter the principles upon which the Bill was passed through the House. He trusted they would have no school fees and no capitation fees. He had had some experience in this respect in Auckland, and he hoped the colony would not be placed in such a position. If the House was going to provide education it must be free and secular. They must not throw the cost of education upon the people with large families, those least able to bear it. If there had been pleasure in the present session,—and there had not been much,—it was in connection with passing this Bill, and he sincerely trusted that the House would adhere to the decision it had come to on a previous occasion.

Mr. STEVENS looked upon the matter from the same point of view as the honorable member in charge of the Bill and the honorable member for Ashley, and said the money could easily be found and must be found.

Mr. REES concurred, and said that, if the Consolidated Fund could not bear the charge for education, it must be increased till it could. The system of fees and capitation had been tried in Auckland, and, as everybody knew, had proved to be a thorough curse. Indeed, in the Provincial Council of Auckland a resolution was only lost by one vote which, if carried, would have imposed an income and property tax in that province for the purpose of carrying on education; and, if it became necessary, even for the purpose of giving higher education, which he believed it would, to impose an income and property tax, it must be done. Such a tax would be a nominal tax upon large incomes so far as the people who had to pay it were concerned, while it would increase the revenue to an enormous extent. He was pleased to say that they had made one step forward this session, and he hoped very shortly they would make the other step. The tax must come, and the sooner it came the better. He quite agreed with the arguments of the honorable member for Akaroa and the honorable member for Ashley. Who paid the cost of education now? Was it not better that the general public should pay a shilling or two more than that there should be hardships inflicted on individuals in the poorer classes? As to the cumulative voting principle laid down by the Council, he had no objection to that, because he believed it was intended for the representation of minorities. As to the religious question, he hoped the provision inserted by the Council would not be agreed to. He did not see, although he had great reverence for things of that sort, why the Bible should be read or the Lord's Prayer uttered at the opening of the schools any more than that there should be a similar course of procedure every morning before work was commenced at the Government buildings.

Mr. MURRAY.—What about the House?

Mr. REES said that was a different thing. There was no analogy between the two cases. It would be very absurd to open the railway stations with prayer every morning, though it might be very proper to open the deliberations of the House with prayer, as expressing a desire that a Superior Power might guide the counsels of the country. That was a very different thing from prayers before the ordinary administrative work of the country commenced. He did not think the arguments and principles contained in Macaulay's essay on "Gladstone on Church and State" had ever been successfully combated. The principles laid down in that essay were good, and true, and just, and the less the State interfered with matters of faith and religion the better it would be for all. It was coming to be the opinion of the metaphysicians and the deepest thinkers of the present day that the large amount of unbelief, rationalism, and materialism now rife was due to the attempt of the past generation or two to force religion upon the minds of the

people, especially the young. It was simply the reaction from the attempt to draw hard-and-fast lines on the subject of religion, and the endeavour to force all to conform to them. He believed it was far better that the State should confine itself to the duties of the State, which did not include the teaching a man religion. He hoped the House would adhere to the position it had taken up.

Mr. SWANSON said it was very seldom that more than one important measure resulted from a session of Parliament, and to his mind the Education Act must be regarded as the Act of this session; and, in spite of all the fighting and quarrelling and party feeling, he must say that to the late Government was due the greatest credit for having brought in such an Act. Indeed, so important was the measure in his eyes that he would at once transfer his allegiance from the present Government if they were to abandon the Bill or fail to endeavour to do their utmost to pass it. It was the Bill of the session, and he hoped that the Government in power would do their best to carry it out in its integrity. Something had been said by the member for Bruce about opening the proceedings of the House with prayer being a reason why the schools should be opened in the same manner. He could only say that, if prayers in the schools were to have no better effect than they had upon the House, they might just as well be without them as with them. He had often thought, when he saw such discreditable scenes as were often enacted in the House, that then was the time Mr. Speaker might very well be asked to repeat a prayer to prevent men encouraging angry passions. He had been a member of the Provincial Council in Auckland, where they used the same prayer, and he had been a member of the City Council of Auckland, where they used no prayers at all, and he was certain of this: that he had never beheld in either of those places such scenes as he had witnessed in that House—for instance, such proceedings as those of last night. He was not going to say that the prayers did any harm, but he must say that he did not think they did very much good so far as the conduct of members in the House was concerned. They had no tendency whatever to throw oil upon the troubled waters. The great argument against using the prayer was that the people of various sects would not send their children to the schools if the prayer was used. Why should people be prevented from sending their children to the schools of the State, when all had to pay? He had presented a petition from the Hebrew people against the prayer.

Mr. MACANDREW.—It is a Jewish prayer.

Mr. SWANSON did not know whether it was or not. All he knew was that the Jews objected to send their children to hear it. Petitions to the same effect had been presented from other denominations. He trusted, therefore, that the Government would adhere to the Bill as it left the House: it would be an eternal disgrace to them if they permitted it to be dropped. Whether it failed or succeeded, the Government lately in office deserved every credit for bringing it in, and, though he was greatly opposed to capitation



fees, he would even give up that point rather than lose the Bill.

Mr. FISHER trusted that the old 8th clause would be reinserted in the Bill; and he would say this with regard to the religious clause: If we were to have a national scheme of education let us have it, but if we were to have a denominational system let the Bill be thrown out at once.

Mr. DE LAUTOUR urged the House to come to the vote, because, if the other House insisted on retaining the capitation clause, the whole discussion must come on again.

Question put, "That the words 'section 8' stand part of the resolution;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	46
Noes	...	...	...	...	15
Majority for	...	...	...	...	31

#### AYES.

Mr. Baigent,  
Mr. Ballance,  
Mr. Beetham,  
Mr. Bowen,  
Mr. J. E. Brown,  
Mr. Bryce,  
Mr. Burns,  
Mr. De Lautour,  
Mr. Dignan,  
Mr. Fisher,  
Mr. Fox,  
Mr. Gisborne,  
Sir G. Grey,  
Mr. Hamlin,  
Mr. Hielop,  
Mr. Hodgkinson,  
Mr. Hunter,  
Mr. Kelly,  
Mr. Lumsden,  
Mr. Macfarlane,  
Mr. McLean,  
Mr. Murray-Aynsley,  
Mr. Nahe,  
Mr. Rees,

Mr. Reynolds,  
Mr. Richardson,  
Mr. Rolleston,  
Mr. Rowe,  
Mr. Seaton,  
Mr. Seymour,  
Mr. Sheehan,  
Mr. Shrimski,  
Mr. Stevens,  
Mr. Stout,  
Mr. Swanson,  
Mr. Taiaroa,  
Mr. Takamoana,  
Mr. Tawiti,  
Mr. Thomson,  
Mr. Tole,  
Mr. Travers,  
Mr. Wason,  
Mr. W. Wood,  
Mr. Woolcock.

#### Tellers.

Mr. Montgomery,  
Mr. Murray.

#### NOES.

Major Atkinson,  
Mr. J. C. Brown,  
Mr. Bunney,  
Mr. Curtis,  
Mr. Gibbs,  
Mr. Hursthouse,  
Mr. Johnston,  
Mr. Manders,

Captain Morris,  
Mr. Ormond,  
Captain Russell,  
Mr. Sutton,  
Mr. Teschemaker.

#### Tellers.

Mr. Barff,  
Mr. Kennedy.

The amendment was consequently negatived, and the words ordered to stand part of the resolution.

Mr. MURRAY moved, That the word "eighty-three" be struck out of the resolution.

Amendment negatived.

Mr. BARFF moved, That the Bill be no further proceeded with. He did so in order that he might have one more chance of expressing by his vote his disapprobation of the measure which was being forced upon the country. The people of Westland were being robbed of their educa-

Mr. Swanson

tional system by the Bill, and he thought therefore it would be better to let the measure drop.

Mr. SHEEHAN hoped the measure would not be allowed to drop. He did not suppose there was any measure before the House which had been so favourably received by both sides as this Education Bill. He had taken a great interest in it, because he believed that it was the best measure which could be passed. For his own part, he utterly denied that because he happened to be a Catholic he was bound to support the views of that body. He had been denounced in a certain publication, and it had been laid down as law to the Catholic body that, whatever other good points the Government might possess, they were not competent to deal with the education question. He went to the House to represent his constituents and the colony at large, and not any particular body. He said, further, that the time would come—within ten years, perhaps—when the Catholic people of this colony would admit that the secular system was the best they could have. He was quite content to be abused and denounced, and he could only say that they would have to get up very early in the morning who wished to keep him out of the House on account of his action in regard to education. He would never, while he was in the House, hide his opinion, silence his conscience, or sacrifice his convictions merely because he ran the risk of being kept out of the House by the vote of the Catholic party. It was a great mistake to raise such a question in the House at all. The time would come when it would be seen that a purely secular Bill would be the best solution of the difficulty which the Catholic people could have, and that when they opposed such a measure they acted contrary to their own true interests.

Mr. KENNEDY had no desire to see the Bill laid aside merely on the ground of not obtaining all he required. That portion of the community on whose behalf he had spoken comprised a very large portion of the people of the colony, fully one-sixth, or 50,000 of the entire population, and whose opinions differed altogether from the opinions expressed by the Native Minister. The honorable gentleman said that within ten years' time the Catholic community would come to the belief which he now entertained, that the secular system was the best they could possibly have for themselves. No doubt that was the opinion entertained by the honorable gentleman, and perhaps it was because he had a desire to raise himself in the public estimation. He thought the honorable gentleman could not set up his individual opinion against the entire convictions of the members of that particular Church. It was, of course, quite fair that other denominations should hold the opinion that the secular system was the best that could be adopted; but Catholics never could join with them. He might ask, was there any Presbyterian in this House who did not consider that the Catholics might be improved if they were to attend a Presbyterian church; and was there any Protestant in the House who did not consider the same thing? He would say with equal truth that members of other denominations would be improved by attending a Catholic church.

The same opinions were entertained in regard to education—each member advocated that system of education which the community to which he belonged desired, and which they believed in, whether they were Protestants, Presbyterians, Catholics, or even Free-thinkers. Each of those denominations held its own views regarding education, and therefore the Catholics were not to be blamed if they desired to have their own system of education carried on in their schools. It was true that other religious denominations had broad principles upon which they could agree, so that it was possible for them to acquiesce in a mixed system of education, but it was utterly impossible for the Catholics to join with them in such a system of education. He was equally confident with the Native Minister that the Catholics would in ten or twelve years still hold to their opinions on this subject. Of that they had already ample proof. This system had been tried for more than ten, or twenty, or fifty years in other countries, and yet the Catholics still maintained their own opinions, and had made large sacrifices to give effect to their convictions. He hoped the amendment to omit section 83 from the motion would not be agreed to.

The ACTING-SPEAKER said that amendment had already been disposed of.

Mr. KENNEDY thought the honorable member for Hokitika had moved an amendment that the Bill should not be further proceeded with.

The ACTING-SPEAKER said such an amendment was not in order.

Mr. BARFF said his amendment was that the Bill be no further proceeded with.

The ACTING-SPEAKER said the House had affirmed the motion that the amendments be agreed to with the exception of the amendments made in sections 8, 63, and 83. In order to give effect to his amendment, the honorable member should vote with the "noes."

Original motion agreed to.

Mr. SHEEHAN moved, That the Hon. Mr. Sheehan, Mr. Bowen, and Mr. Reid be appointed Managers to draw up reasons for disagreeing with the amendments made by the Legislative Council.

Mr. MACFARLANE moved, as an amendment, That the name of Mr. Reid be omitted, and that of Mr. Montgomery substituted in lieu thereof.

Mr. REYNOLDS hoped the House would object to the amendment. This would be a test question as to whether the whole cost of education in the colony should fall upon the consolidated revenue. If this motion were rejected it would settle the question whether it was the desire that the whole expense of education should come out of the colonial chest.

Mr. ROLLESTON said that they had already decided that question by disagreeing with the amendments made by the Legislative Council. The only question now was the appointment of Managers. They did not appoint Managers except on the understanding that they would represent the views of the House at the Conference.

Mr. MONTGOMERY was sure that the honorable member for the Taieri would not undertake the duties without carrying out the wishes of the House. Therefore the substitution of the name

of any other person would be wrong, and it would be treating that honorable member with a disrespect which should not be put upon him.

Mr. MACFARLANE said his only reason for moving the substitution of Mr. Montgomery's name was on account of the decidedly strong opinions expressed by the honorable member for the Taieri in favour of the rating clauses and capitation-tax.

Captain RUSSELL said the honorable member for the Taieri had expressed a desire that his name should not be put upon the Conference. It would be well to nominate the honorable member for Akaroa, and in doing so they would be showing no disrespect to the honorable member for the Taieri.

Mr. SHEEHAN said, if the convictions of the honorable member for the Taieri were so strong that he could not represent the majority of this House at the Conference, he should withdraw.

Mr. BOWEN said the honorable member for the Taieri had asked to have his name withdrawn.

Amendment agreed to.

Mr. REYNOLDS said that, if he understood that the Managers were not to be allowed to consider the reinsertion of the rating clauses, he was prepared to vote against the Bill altogether. He was satisfied that our finances were not sufficient to bear the whole cost of education, and that it would be better to abandon the whole Bill until next session. No harm would be done by adopting such a course, as all the provinces had a system of education at the present time, and all that would be required would be to pass a short Bill with reference to the election of School Committees. He would do all he possibly could to throw out the Bill if the rating clauses were not reinstated.

Motion as amended agreed to.

## SUPPLY.

The House went into Committee of Supply.

## CLASS I.

Executive Department, £32,584, agreed to.

Stamp Department, £4,375, agreed to.

Printing Department, £12,527 10s.

Mr. ORMOND asked whether the Government intended to take any steps to distribute the printing over the colony. The late Government contemplated doing so, and proposed to call for tenders for printing in different places, as they saw that the Printing Department was growing to a gigantic size, and that it was doing work which could be done better and more cheaply in other parts of the colony.

Mr. STOUT thought there were a great many things got from Home that could be got cheaper in the colony. He might instance railway tickets.

Mr. MACANDREW said the Minister for Public Works had countermanded a large order which had been sent Home for railway tickets, as they could be procured as cheaply in the colony.

Mr. RICHARDSON said the railway tickets were printed in the colony, and he hoped the Minister for Public Works had not counter-

manded the order for the raw material, as that could not be procured nearly as cheaply in the colony.

Mr. McLEAN might say that it had been in contemplation for a long time to cease getting many forms from Home, such as telegraph forms; but it was found that they could be obtained so very much cheaper at Home that it was necessary to get them from Home, but the importing of other forms was stopped.

Mr. STOUT knew that one firm in Dunedin had at great expense imported special machinery for printing railway tickets, and had printed the Otago tickets for some time. It would be a mistake to send Home orders for these tickets when there was such suitable machinery in the colony to print them.

Sir G. GREY said that orders had been sent Home by the late Government for several millions of railway tickets; but the present Government had countermanded the order, with the exception of about two millions of tickets, which it was thought necessary to get to prevent inconvenience.

Mr. RICHARDSON might say that not only had railway tickets been printed in Dunedin, but some time before Dunedin thought of it they were printed in Christchurch. As far as he was aware, not a single printed ticket had been ordered from England. The blank tickets were procured from Home, and were now printed at the Government Printing Office.

Mr. MACANDREW said the firm in Dunedin had certainly imported special machinery for printing railway tickets, but the late Government bought the machinery, laid it up in clover, and still sent Home for tickets.

Mr. REID explained that the tickets ordered from Home were not printed, and the machinery which was bought by the late Government was used for printing them. If the blank tickets could be procured as cheaply, or nearly as cheaply, in the colony as in England, he would say, Get them here; but, as far as he knew, they would be much dearer. A mistake had been made by the Government in countermanding the order for the blank tickets, unless they had informed themselves of the price at which the material on which the tickets were to be printed could be obtained in the colony.

Mr. SHEEHAN would like to know why, if it was in the contemplation of the late Government to have the work done in the colony, there was no provision made for it in the Estimates.

Mr. REES said, if the tickets could be produced in the colony as cheaply as they could be imported, it was evidently the duty of the late Government to have got the tickets here, and it was gross negligence not to have done so.

Mr. GIBBORNE thought it strange that a sum of £1,000 should be put down for type and machinery this year, when only £30 was expended out of £250 placed on the Estimates for a similar purpose last year. Unless the Government could give an assurance that the type and machinery were absolutely required, he should feel inclined to move that the item be struck out.

Mr. SHEEHAN could not give the honorable

*Mr. Richardson*

gentleman that assurance; but if the Government could possibly reduce the vote they would do so.

Mr. ORMOND said that when he called attention to the tickets he merely intimated to the honorable gentleman in charge of the Estimates what the intention of the late Government was in regard to that matter, and asked whether his Government proposed to go in the same direction. He might also explain, in regard to the £1,000 for type and machinery, that the money was required to pay for type ordered, some of which was on its way out. With regard to the tickets, he thought the House understood that part of the question; and, if the Government had countermanded the order for tickets, it would cause great inconvenience to the public service. The late Government had merely ordered the blank tickets, and intended to follow out the practice of printing them here. The Minister for Lands was very much misinformed as to the comparative cost at which the blank tickets could be purchased at Home and in the colony. At Home they could be bought at something like 100 per cent. under what they could be got for in the colony.

Sir R. DOUGLAS said the honorable member for Clive had remarked that the House understood the part of the question relating to the tickets, but he for one did not. If the Government were going to give up importing material that could not be produced in the colony, the middle man would come in, and would derive a large advantage which the Government might keep to themselves.

Mr. REYNOLDS held quite a different view. Everybody knew that private individuals could supply material much cheaper than the Government. As to the tickets, when the honorable member for Clive said they could not produce the tickets in the colony, he simply showed that he knew nothing about the matter. They could be produced much cheaper in the colony than they could be imported.

Mr. ORMOND said the honorable gentleman had attributed to him something he had never stated. It was not the printing of the tickets he spoke of, but the importation of the blank tickets. The line the late Government took in regard to the importation of material was that, where the cost of production in the colony was only 10 or 15 per cent. above the cost of the imported article, they gave the colonial material the preference; but where the difference was 100 per cent., as in this case, they took the imported article.

Item, £12,527 10s., agreed to.

Geological and Meteorological Department, £3,450.

Mr. MURRAY pointed out that this department really cost more than appeared on the Estimates, inasmuch as £866 13s. 4d. was paid under special appropriation, making the cost of the department £4,316 13s. 4d. This was a vote in which the Government might make a substantial reduction: in fact, it would be far more economical to combine the department with the General Survey Department of the colony, for it was more ornamental than useful.

Mr. J. E. BROWN also thought the Government might make a large saving on the vote. He looked upon it as a luxury. The chief of the department not only had a fine house and £800 a year, but he had been altogether absent from the colony during the last twelve months.

Mr. STOUT observed that it was proposed to increase the vote by £300 over the sum voted last year. The Museums of Dunedin and Christchurch were managed at about half the cost, so that this item might well be reduced.

Mr. RICHARDSON, in correction of the remark of the honorable member for Ashley, said the Director of the Geological Department paid a considerable rent to the Government for the house in which he lived.

Mr. BOWEN said the comparison with the Christchurch and Wellington Museums did not hold good, because the officials of the Wellington Museum had to do a large amount of field work. The Assistant Geologist had been on the West Coast nearly all last year, and the work done by the department was for the benefit of the whole colony.

Mr. GISBORNE observed an item of £600 for meteorological stations. These, he thought, should be combined with the Weather Department. The two systems really in some measure conflicted.

Mr. McLEAN said it seemed to him that many honorable members misunderstood this vote altogether. This sum was not for a museum, but for geological work. As to combining the meteorological stations with the Weather Department, he would point out that there was a very intelligent gentleman connected with the Meteorological Department who, with a little assistance, might do all the weather reporting. If they paid £100 or £150 for an assistant to that gentleman, they might abolish the Weather Reporting Department altogether, and do the work very satisfactorily. He seriously recommended that to the attention of the Government.

Mr. REYNOLDS thought it was quite possible to amalgamate the departments, but he took a different view as to which officer should conduct the whole of the work. Ever since this matter had been before a Committee of the House he had been receiving communications from all parts of the colony, urging upon him that it would be a great pity if it were abolished, and bearing testimony to the value of the services of the gentleman who conducted the department. The honorable member for Waikouaiti had never sufficiently appreciated the department. He (Mr. Reynolds) would suggest that the Commissioner of Customs should get a circular sent round to the various harbourmasters in the colony, asking their opinion as to the value of the work done, and lay the results of such inquiries before the House next session.

Mr. McLEAN had always looked upon the matter in this light: If the weather indicators at different ports of the colony were posted up on the shipping boards at the various telegraph offices, the masters of the coasting vessels could judge as to what the weather would be quite as well as any officer of the Government could.

Mr. GISBORNE said the system of forecast-

ing was one which had been tried in America and other countries with great success. It was found to be a very valuable system, and he hoped it would be carried out here; but, at the same time, he thought the department should be reorganized.

Mr. BURNS said, if the Government would carefully look at the report of the Weather Reporting Committee and compare it with the evidence taken by that Committee, they would find that there was a great conflict between the two. They would find that the balance of evidence was against the department. As now worked, it was of no use whatever, and they were paying too dear for their whistle.

Mr. SHRIMSKI said that this department had been found to be of great benefit to seamen, and, in fact, the warnings that had been issued had been the means of saving life on more than one occasion, owing to the fact that vessels were forewarned of the approaching storms, and had had time to get out of danger.

Major ATKINSON was of opinion that it would be very injudicious to do away with this department. He held that the money spent in maintaining the department was well spent.

Mr. MURRAY-AYNSLEY thought that the department would be of greater use if more money were spent on it.

Mr. KENNEDY did not think that the warnings given by the department had been of any practical value to the shipping of the various ports. He thought that the department was altogether unnecessary, and that in the present financial position of the colony the vote should not be allowed.

Item, £3,450, agreed to.

Electoral Department, £5,055, agreed to.

Crown Lands Department, £12,344 15s., agreed to.

Inspection of Machinery, £2,100, agreed to.

Lunatic Asylums, £31,001 17s.

Mr. STOUT would point out that not only was there an increase in this item, but the money was unduly distributed. For example, he saw by the report of the Inspector that there were in the Christchurch Asylum 191 patients, and in that at Dunedin 235 patients, or 44 more than in Christchurch; but the cost of maintaining the Christchurch Asylum was £8,201, while that of the Dunedin institution amounted to £6,390. He could not understand why there should be such an immense difference in the cost of managing the two asylums. If there were to be any additional charge, it ought to be in respect to the Dunedin institution, where the buildings were miserable as compared to those at Christchurch.

Mr. BOWEN explained that there must necessarily be some inequalities in this department, because the Government had taken over the asylums from the provinces, and it was not possible immediately to bring them all to the same level. The fact of there being two buildings at Christchurch would cause a greater expense there than at Dunedin, where all the patients were crowded into one building. No doubt, if what was proposed were carried out—namely, to draft off some of the convalescent patients to Blueskin

Bay—it would necessitate increased expenditure. The Inspector of Lunatic Asylums was busy endeavouring to establish a system throughout the colony by which a comparatively uniform rate of salary would be paid to the various officials.

Mr. STOUT might point out that there were only eleven attendants at Christchurch, who cost £1,405, whereas in Dunedin there were twelve attendants, costing only £1,180. Then, again, for rations, fuel, and light, at Christchurch, £3,250 had to be paid, whereas at Dunedin the amount was only £2,800. The amount for bedding and clothing at Dunedin was only £480, and at Christchurch it was £1,000. He could not understand those discrepancies.

Mr. BOWEN said, with regard to the last item mentioned, new bedding was required at Christchurch for the new building. Generally, he might say, in regard to the Lunatic Asylum estimates, and the Gaol estimates, that they must be looked upon as to a certain extent approximate. He presumed the Government would, on the report of their officers, endeavour to bring the management of the various asylums into something more like uniformity.

Mr. SWANSON, referring to the remarks of the honorable member for Dunedin City, said he would like to know something about the percentage of patients cured in the Christchurch and Dunedin Asylums. If the percentage of cures was in favour of the Christchurch Asylum, the increased expense would be fully justified.

Mr. STOUT said the percentage of recoveries was higher in Dunedin than in Christchurch. In Dunedin the percentage was 65, and in Christchurch 63.

Mr. GISBORNE said that, under the existing law provision was made for the appointment of local inspectors, but they had all been done away with, and one General Inspector appointed in their stead. He did not think that was the intention of the Legislature in determining upon the appointment of an Inspector of Lunatic Asylums. The intention was that the Inspector-General should see that the local inspectors did their duty properly. He also observed that the pay of the attendants at the Hokitika Lunatic Asylum had been reduced. That asylum was one of the best-conducted institutions in the colony, and the effect of these reductions would probably be to introduce an inferior class of attendants, and the asylums would suffer in consequence. He hoped that the Government would look at the vote as a whole, and distribute it as they thought best.

Sir G. GREY agreed with the honorable member for Totara, that the Government should treat the vote as a total vote for the whole service. If they found that the food or clothing at any asylum was insufficient, as was certainly the case at Auckland, they should have the power to provide whatever was necessary. No inequalities should be permitted to exist. If the estimates for some asylums were larger than were required, the Government should have the power to apply the surplus in the manner he had indicated.

Mr. TRAVERS, speaking in reference to the remarks of the honorable member for Totara, said he had been Local Inspector to the Wel-

lington Lunatic Asylum for some years, and from the knowledge he had acquired he was perfectly satisfied that the law could not be satisfactorily carried out unless inspectors were appointed for each district. It was impossible that the work could be got through by the Inspector-General, although he quite agreed that the appointment of the Inspector-General would lead, in course of time, especially in the hands of a gentleman so well fitted for the duties of the office as the present occupant, to a uniform system throughout the colony. It was impossible that the business of inspection could be carried out without local inspectors as well as the Inspector-General; but he saw no provision for those officers. It would be found, on examining the Act, that the inspectors of Lunatic Asylums had very varied duties to perform in connection with the management of asylums, and he would recommend the Government to consider whether it was possible that the duties could be carried on satisfactorily under a single head. He might state that, in connection with his own business as a solicitor, he had found it necessary to make inquiries regarding certain lunatics, and he found that the course of business adopted by the Inspector-General was not sanctioned by law, but it had been rendered necessary in consequence of the absence of local inspection at some of the asylums. He observed that there were some remarkable discrepancies in the wages of attendants. In some instances that necessarily arose from the different rates of wages ruling in various parts of the country; but there were very startling differences between some of the asylums. That caused great inconvenience, for the Estimates were examined by persons employed in the asylums, and such discrepancies resulted in dissatisfaction. The attendants at Auckland would naturally object that seventeen of them should receive £1,075, while eleven at Christchurch received £1,405. Uniformity in pay would be of considerable value to the institutions throughout the country.

Mr. SHEEHAN quite concurred in the remarks of the honorable member for Kaiapoi, which displayed an intimate knowledge of the working of these institutions. With regard to local inspectors, he might mention that he had received a large amount of correspondence in favour of their appointment, and the Government would place a sum on the Supplementary Estimates to make provision for these officers.

Mr. REYNOLDS thought that, instead of leaving the Government a discretionary power in regard to this vote, it would be better that they should bring down supplementary estimates for those asylums for which more money was required. As far as the Dunedin Asylum was concerned, the vote for that institution could not be reduced in order to provide for the wants of other asylums.

Mr. ORMOND noticed that there was an absence of any provision for medical attendance, clothing, &c., for the Napier Asylum. Having some knowledge of the requirements of that institution, he was in a position to say that the estimates for the asylum were deficient, and he

*Mr. Bowen*

hoped the Government would make whatever provision was necessary.

Major ATKINSON said it was understood that the expenditure of the vote was entirely within the discretion of the Government. The items were given on the Estimates merely for the information of the House, and, if it was desirable to divert any item of the total vote, it was in the power of the Government to do so.

Item, £31,001 17s., agreed to.

Charitable, £30,000.

Major ATKINSON would like the honorable gentleman in charge of the Estimates to state what were the intentions of the Government in regard to this sum, which was placed on the Estimates on the supposition that the Charitable Institutions Bill would pass.

Mr. SHEEHAN said it was very doubtful whether the Charitable Institutions Bill could be gone on with this session, but the Government would see that a sufficient additional sum was placed on the Estimates to properly maintain the institutions coming under this head till next session.

Mr. STEVENS asked under what system the hospitals were to be administered. He referred, of course, to the large hospitals, such as those at Auckland, Christchurch, and Dunedin. He had understood that before the end of the session an intimation would be given as to how these hospitals were to be administered for the future, and he thought this a favourable opportunity for that information to be given.

Mr. STOUT considered that, unless the hospitals were placed under local control, their management would be most expensive. He would suggest that, in the large towns and centres of population, the City Councils and Municipal Councils should elect Boards of Management, that certain amounts should be voted for the maintenance of these institutions by the local bodies, that the Government should give a certain amount, and that the remaining required funds should be raised by voluntary subscription.

Mr. STEVENS thought that a reasonable solution of the difficulty for some time to come.

Mr. J. C. BROWN would like to know what were the intentions of the Government as to dealing with the country hospitals. In the district from which he came it had been necessary to erect new buildings, and the managers of the hospital ought to have assistance.

Mr. GISBORNE hoped that the Government would subsidize hospitals on the gold fields, where the people themselves subscribed very liberally.

Mr. BARFF desired to bring under the notice of the Government the case of the Hokitika Hospital. The people of Westland subscribed liberally to that institution, which was a credit not only to the district, but to the colony. The managers had recently erected new buildings, and had incurred very heavy expenses indeed, and, notwithstanding the liberality of the people, they found themselves in great difficulty as to how they were to provide sufficient funds to pay their debts. A case of that kind required some special consideration, more particularly as treat-

ment was given in that institution to persons coming from all parts of the district. There was one small branch hospital at Totara, which was well managed, but most of the cases came to the Hokitika Hospital.

Mr. SHEEHAN said that the Government would feel themselves in honor bound to pay the same subsidies as the Provincial Governments had hitherto paid. In regard to buildings, he must consult the Minister for Public Works.

Mr. ROWE was glad to hear that promise of assistance to up-country hospitals, because only very recently he had received a communication on the subject from his own district.

Mr. KENNEDY hoped the Government would keep its promise in regard to giving the same aid to hospitals as the Provincial Governments had given. Those Governments had subsidized in the proportion of £2 to £1 of subscriptions, but since the General Government had taken over these matters they had only subsidized in the proportion of £1 to £1. The consequence was that, although the people subscribed liberally, the managers of the hospitals could not keep pace with the demands made upon them. He confirmed all that had been said by the honorable member for Hokitika, and hoped that the Government would give special consideration to these institutions, and also pay up the proportion withheld during the past few months.

Mr. SHEEHAN had one more remark to make. Although there was no Act in force, the Government had charge of the purse, and, unless institutions requiring aid passed the test of inspection satisfactorily, no money would be given.

Item, £30,000, agreed to.

#### CLASS II.

Department of Justice, £1,260, agreed to.

Crown Law Office, £2,010.

Mr. STOUT did not wish to oppose this item, but would call attention to the fact that there had been a sort of promise that the salaries of the Judges of the Supreme Court should be raised, which had not been fulfilled. It must be patent to all that, compared with the remuneration of Judges of the Supreme Court in other colonies, the Judges in New Zealand received very small salaries: indeed they received less than half the salaries paid in Victoria. He hoped that, as the Government were going to amend the Civil List Act in one direction, they would also take steps to amend it further, by providing for an increase in the salaries of the Judges of the Supreme Court.

Mr. REES thought that the Judges of the Supreme Court in New Zealand were not properly remunerated for their services. They were, in fact, worse paid than any Judges in the British Empire. When their salaries were contrasted with those of the Judges in the other colonies there was a discrepancy of about 75 per cent.

Mr. SWANSON said that, as long as they could get competent men to do the work for the money, there was no need to increase the salaries. He believed that there was actually a struggle among lawyers of high-class reputation for the positions of Judges, and as long as that was the case he saw no reason for raising the salaries.

Mr. BOWEN, speaking for himself, would say that a Bill had been prepared and printed to amend the Civil List Act, but it had not been formally brought before the Cabinet, and consequently had not been introduced into the House. The Hon. the Minister of Justice would find the Bill in his department, and he hoped he would act in the matter as he (Mr. Bowen) would have done had he remained in office. It provided that the Judges should be paid in proportion to the length of time they had served. The salaries which the Judges at present received were fixed at a time when lawyers in the colony did not make such large incomes as they did now. However, things had changed, and the salaries which the Judges received were not proportionate to the incomes which lawyers in large practice received. The salary of a Judge should be such as would induce a leading lawyer to give up a lucrative practice in order to take a seat on the Bench. He hoped the salaries of the Judges would be increased, and he would give the Government all the assistance in his power if they were prepared to take the matter up.

Mr. HARPER could corroborate the statement of the honorable member for Auckland City East, that the Judges in the other colonies received higher salaries than those in this colony. He agreed with the honorable member for Kaiapoi that the Judges should be paid according to length of service. They ought to receive increases of pay when they had served, say, fourteen or twenty-one years. He would like to see an increase made in the salaries of the Judges.

Mr. GISBORNE agreed that the salaries of the Judges ought to be increased. They were undoubtedly not paid in proportion to the incomes of the leading lawyers in the colony, or to those of the Judges in the other colonies. He was also of opinion that they should be paid according to length of service. Under the present system, a Puisne Judge of twenty years' service might suddenly find a lawyer made Chief Justice at a higher salary than he was receiving.

Mr. BOWEN explained that the Bill he had referred to provided that the Judges should receive an increase of £300 a year after serving for a certain number of years, and that they should be allowed to retire on pensions after twenty years' service.

Mr. GISBORNE thought the salary which was set down for the Law Draftsman was too small. They could not expect to obtain the services of a really competent draftsman for £300 a year.

Mr. SHEEHAN said the salary of this officer appeared on the Estimates for the first time, and he thought it was altogether insufficient. It was certainly advisable that the services of a thoroughly competent draftsman should be obtained, to examine the Bills which were brought before the House. He quite agreed that the sum placed on the Estimates was wholly inadequate for a competent person to do this important work.

Mr. TRAVERS thought it would be a great benefit if a Committee of legal gentlemen were appointed to revise the existing Statute laws of

*Mr. Swanson*

the colony, and supervise the Bills passed each session, in order to see that they really carried out the objects intended by the Legislature, and did not interfere with existing laws with which it was not intended to interfere. It would be practically impossible that one draftsman could superintend the legislation of the Assembly, and it was absurd to employ amateur draftsmen to deal with legal matters. In many of the Acts passed by the Assembly there was a want of uniformity, and clauses were often introduced which created absolute confusion. He believed that a large amount of the legislation of the colony would be saved by the employment of competent draftsmen, and by having a Committee appointed which would, during each session, supervise the constructive part of the laws of the colony.

Mr. SHEEHAN agreed with the honorable member that much of the legislation of the colony was ill-conceived and badly put through the House. It was impossible to carry out the proposal at the present time for the appointment of a Committee to supervise the measures passed by the Assembly. If a competent draftsman were appointed he would be able to prepare the principal Bills and devise a continuous system, whereby much of the inconsistency and many of the mistakes which now occurred would be avoided.

Major ATKINSON trusted that this important matter would receive the attention of the Government during the recess. Many of the important Bills were hurried through at the end of the session, and it was a source of anxiety to the Government and to the public to know the meaning of many of the laws passed.

Item, £2,010, agreed to.

Supreme Court, £10,919, agreed to.

District Courts, £5,525.

Mr. STOUT observed that the Judge of the District Court at Dunedin only received a salary of £700, while the Judge of the District Court at Hokitika received £750, although he had not to decide half the number of cases or do half the work which the Judge at Dunedin had to perform. The Judge of the District Court at Timaru received £900. That was a larger district, and that Judge had extra work to perform; but he thought the Government ought to place a sum on the Supplementary Estimates to increase the salary of the District Judge of Dunedin.

Mr. SHEEHAN said that the District Courts and the Resident Magistrates' Courts required revision, and he thought large reductions and alterations might be made and yet the efficiency of these various Courts might be increased. It was the intention of the Government to consider this matter, and he could not accept his honorable friend's proposal to increase the particular salary referred to on the present occasion.

Item, £5,525, agreed to.

Resident Magistrates' and Wardens' Courts, £42,245 11s. 6d.

Sir R. DOUGLAS wished to refer to the item of Resident Magistrate for Whangarei, Whangarei Heads, and Waipu. He drew the attention of the Minister of Justice to this item last year, and during this session. The Resident Magistrate lived fifteen miles from the place

where the Court was held. He was an old man, who had gone through a great deal of work in the public service of the colony, and he could not do all the work of these districts. He should like to see an officer appointed who could do the whole work, or else they should do away with the Resident Magistrate altogether. He was unable to get any answer from the Government on this matter. The salary put down for the bailiff of the Court was only £30. He had to attend in the Court all day and do the business, as the Justices of the Peace were seldom there, and he did not think £30 a year was sufficient remuneration for that officer's services. In order to have the matter put on record, he would move, That the item be struck out.

Mr. SHEEHAN said the representation made by the honorable gentleman was entitled to the fullest consideration. The honorable gentleman must, however, remember that the vote was being taken as a whole, and therefore would be so distributed as to be most beneficial for the public service. He would assure the honorable gentleman that his recommendation would be given effect to if possible.

Mr. STOUT called attention to the salary of the Resident Magistrate at Port Chalmers, which was altogether inadequate, being only £350, whereas the Resident Magistrate at Lyttelton, who had not nearly so much to do, received, altogether, £545. The Resident Magistrate at Port Chalmers had to sit in Dunedin one day a week extra, and had to travel over a very large district. His salary was perfectly absurd for a gentleman of his station, and considering the amount of work he had to get through.

Sir R. DOUGLAS might explain that he merely moved that the vote be struck off in order that it might be placed on record, because, if not, it would be said that he had not called attention to the matter. The Resident Magistrate at Whangarei was one of the oldest Civil servants in the colony, and it would be most unfair to strike him off pay altogether. After the assurance of the Minister of Justice, he would ask leave to withdraw his motion.

Motion by leave withdrawn.

Mr. WASON drew attention to the votes for the Canterbury Resident Magistrates. It would be seen that there were only five Resident Magistrates for the whole of Canterbury, a number which had been found quite inadequate for the wants of the population. There was only one Magistrate for Christchurch, Leeston, and Ashburton, although there was quite sufficient work for one man to do in Christchurch alone. The honorable member for Selwyn would no doubt bear him out in saying that that district also wanted a Resident Magistrate to itself; and it was really necessary to appoint a Resident Magistrate at Ashburton, particularly as the fees and fines from that Court would more than pay all the salaries required. There were not as yet gentlemen of means and leisure in these country districts to undertake the duties of Justices of the Peace; and Resident Magistrates ought to be appointed. Then, again, there was only one Magistrate for Kaiapoi, Rangiora, Leithfield, Oxford, Malvern,

and Amuri, which was one of the largest and most important districts in the Province of Nelson. He hoped that the Minister of Justice would consider this matter carefully, and endeavour to make an appointment which was very urgently needed, and which had already been shown to be a matter of considerable public importance.

Mr. MACANDREW could quite bear out what his honorable colleague said with regard to the Port Chalmers Resident Magistrate. He believed that that gentleman was about one of the worst-paid officers in the colony, and he hoped that the Government would be able to save money to the colony and at the same time increase the salaries of officers by the amalgamation of offices. Now that the railway system was coming into operation throughout so large a part of the colony, he did not see why, in many cases, one Resident Magistrate should not undertake the duties of two or more districts. He might add that he hoped by this means shortly to see the salary of the officer in question increased.

Mr. BOWEN might say that the observations of the Minister for Lands were in the direction that was intended to be pursued by the late Government in regard to the Resident Magistrate at Port Chalmers as soon as the Northern Main Trunk Railway was opened from that place. The same thing had been tried in other parts of the colony.

Mr. KENNEDY would like to ask what was intended to be done with the Court at Cobden. He noticed that the salary for the clerk there was omitted from the Estimates, and, if it was intended to close the Court at Cobden and compel the miners and settlers of the district to go to Greymouth when they had occasion to resort to the Court, it would cause a considerable amount of hardship. A petition had been sent to him upon the subject, which pointed out that the miners would suffer considerable inconvenience if they had to go to Greymouth instead of having a Court at Cobden. He hoped the Government would continue the Court, at all events, until the bridge across the river was constructed.

Mr. SHEEHAN said it was not intended to close the Court immediately, or until arrangements were made for the convenience of the district.

Mr. GISBORNE thought a great saving might be made if the Government only appointed competent men as Resident Magistrates, who could also perform the duties of District Judges. They should not be resident, but should have circuits through which they should travel.

Mr. WOOLCOCK was glad his honorable colleague had called attention to the case of Cobden, because, if the large number of miners and others who were settled there were compelled to go to Greymouth to transact Court business, it would cause great inconvenience. They would have to ford the river, and would often be unable to cross. He hoped the Court would be retained at Cobden until the bridge was constructed.

Item, £42,245 11s. 6d., agreed to.

Petty Sessions Courts, £200, agreed to.

Criminal prosecutions, £8,800.

Mr. HUNTER asked whether the Government

*Sir R. Douglas*



intended to make any provision for the payment of jurors, who sometimes had very arduous duties to perform, and were deserving of some consideration.

Mr. SHEEHAN said the matter was under the consideration of the Government, and if they could make the necessary provision during the present session they would do so.

Item, £8,600, agreed to.

"Coroners Act, 1867," £2,200, agreed to.

Contingencies, £2,000, agreed to.

Native Land Court, £7,182 9s. 7d., agreed to.

Prisons, £40,403 12s.

Mr. MURRAY-AYNSLEY asked whether the Minister of Justice would endeavour to equalize the salaries of the warders throughout the colony, as at present some of them were paid very much less than others.

Mr. SHEEHAN said it would be impossible to postpone this question for more than another year at the outside, because, if they were to have an efficient public service, there must be uniformity. On the gold fields it might be necessary to fix a higher rate of pay; but in the settled districts, such as Auckland, Wellington, and Dunedin, the rate of pay should be uniform.

Mr. MURRAY-AYNSLEY asked the Minister of Justice whether the Government would take the matter into consideration this year.

Mr. SHEEHAN said they would. He did not say that they would raise the rate of wages, but they would endeavour to make it uniform.

Mr. J. C. BROWN suggested that the Government should avail themselves as much as possible of the up-country gaols for the purpose of classification. Persons convicted of a first offence were generally sent to the central gaols in the chief towns, where they were associated with the most hardened offenders. The up-country gaols were the most likely places to reform first offenders and light-sentence men.

Mr. BOWEN pointed out that what was required in order to carry out a system of classification was more room. When the additions to the Lyttelton Gaol were completed there would be greater facilities for classification in that gaol than in any other in the colony; but at Dunedin it would be more difficult, and the gaol at Auckland was only fit for very rough classification. A proper system of classification, however, could not be carried out until the House determined to establish a central prison for long-sentence men. As to classification in the up-country gaols, it would be impossible, from want of the machinery necessary to insure proper discipline. First offenders should be separated and kept under stricter discipline than old convicts.

Mr. STOUT hoped the Minister of Justice would not make any sweeping reductions in the staff of the Dunedin Gaol. If the Government hoped to get any work out of the prisoners they would have to keep a large staff of warders. It was well known that the prisoners in the Dunedin Gaol did a large amount of work outside the walls, and this recouped the cost of management. The supervision entailed great expense; but, at the same time, if the prisoners were not to be

sent outside, the Government would have to build a larger gaol, and the same amount of work would not be got out of the men. He knew that it was sometimes said that the estimate of the amount of work done by the prisoners in the Dunedin Gaol was exaggerated, but he had taken the trouble to get the opinions of contractors and others who understood the value of that sort of work, and they all agreed that it was not over-estimated. He knew from personal observation that the Dunedin prisoners did about 50 per cent. more work than the prisoners in other gaols in the colony. They worked the same number of hours as free labour, and if the Government were going to reduce the cost of supervision by striking off half the warders and reducing salaries they would not get half the work at present performed. All the warders were artisans specially selected so that they should understand the work to be done, and they got high wages on that account. Any radical reduction would be a great calamity. There was one other matter to which he wished particularly to refer. A gentleman lately connected with the police had been appointed to inspect the prisons of the colony, and it was not to be expected that he should know anything about prison management. A man appointed to overlook prison management should be a person who had made a study of the subject; but to take an ex-policeman and appoint him over men who had spent their whole lives in the management of prisons was simply a farce. He believed that the Gaoler at Dunedin and also the Gaoler at Invercargill were very efficient officers, and he had no doubt that there were many other good men in charge of prisons in New Zealand. It had been made clear by writers on the subject that a man required great experience before he could properly manage a prison. There were many experienced men in the colony, and one of them might have been appointed to the position of Inspector of Gaols if such an officer was required.

Mr. BOWEN would inform the Government that their prisons would never be conducted satisfactorily until they obtained the services of an inspector who had had great experience in prison management. The late Government had endeavoured to obtain a vote for such an officer, but had not succeeded. They had therefore instructed the travelling Inspector of Police to report on the state of the gaols in the towns which he visited in connection with his police duties. The late Government had asked the House to vote a sum of money to provide a properly qualified Inspector of Gaols; but the vote was refused. He held the opinion that there could be no proper classification of prisoners until there was a central penal establishment in the colony to which long-sentenced prisoners could be drafted off, and until there was a proper inspector appointed who should be constantly travelling from one gaol to another. The prisoners in the Auckland and Lyttelton Gaols did just as good work as those in Dunedin. At both those places they were doing work which would otherwise have had to be done by free labourers. He thought that the prisoners at

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Dunedin might be employed more profitably and at less expense than at present on the reclamation works.

Mr. REYNOLDS thought the House would not have refused the vote referred to by the honorable gentleman who had last spoken if a gentleman had been appointed in the colony to fill the position, but honorable gentlemen generally did not like the system of importing gentlemen to fill lucrative positions. The honorable member for Kaiapoi seemed to think that it was absolutely necessary to send to England for Government officials.

Mr. BOWEN did not think anything of the kind. What he thought was, that a gentleman should be obtained from Home who had had greater experience in prison management than any man who could be found in the colony. A person had recently been brought out from England to take the management of the Lyttelton Gaol. He was appointed on the recommendation of the Agent-General and Major Ducane, the Chief Inspector of Prisons in England. That officer had made great improvements in the Lyttelton Gaol since he arrived in the colony, and, in short, had saved the colony money. He was able to do this because he had had great experience in prisons, and therefore nothing had been lost by importing him. A man must make prison management a study to become a really efficient inspector, and that study could only be effective where there was an opportunity of profiting by a large experience. They should not be so conceited as to suppose that the colony could provide men who were as experienced as those who were to be found in the old country.

Mr. REYNOLDS would like to know whether, if the gentleman who had been brought out to manage the Lyttelton Gaol was so good as he was represented to be, his services could not be secured as Inspector of Gaols. He thought that the system of sending Home for officers had become too prevalent of late. Civil engineers had been imported from England, but in his opinion they were not better than the colonial engineers: in fact, the latter were the better men. The Public Petitions Committee had had cases before them in which it was shown that the engineers who had been imported from Home had made numerous blunders, while no serious mistakes on the part of colonial engineers had been reported. He trusted that the system of importing Government officers would be stopped. Their own children were growing up around them, and they should have a chance of obtaining appointments in the Civil Service.

Mr. STOUT had no doubt the honorable member for Kaiapoi had taken a great interest in this question, but if that honorable gentleman would read the reports of the Prison Conferences he would find that no satisfactory system of classification had yet been arrived at. The silent system had been tried, but it had been found that men who were treated under it had gone mad, and now it was not used. In fact, it was a most difficult matter to bring about prison reform. Those who wished to ascertain what was being done in regard to prison reform could learn just

as much from the publications which had been issued on the subject as they could from Major Ducane, or anybody else. He agreed with the honorable member for Port Chalmers that it was undesirable to import officials from Home.

Mr. MURRAY-AYNSLEY said that, if the honorable member for Dunedin City alluded to the late Commissioner of Police for Canterbury when he spoke of the present Inspector of Gaols having no experience, he was labouring under a mistake. The gentleman referred to had had great experience in Victoria, and the Government of that colony considered they were doing a favour to Canterbury when they permitted him to leave their service for the purpose of taking charge of the Canterbury police. He hoped the House would not run away with the idea that the officer who inspected the gaols was an incompetent officer, as he was a most efficient officer.

Mr. STOUT had not cast any reflection upon that officer, who was no doubt a splendid police officer, in which capacity he was engaged in Victoria; but he had had no experience in prison management, which was quite a distinct branch of the work.

Mr. BOWEN explained that the work was thrown upon the officer referred to because the Government had no Inspector.

Mr. GISBORNE noticed that there were considerable discrepancies in the salaries of some of the prison officials. For instance, the Gaoler at Auckland received less than the Gaoler at Nelson; and, again, the surgeons at New Plymouth, Dunedin, Lyttelton, and Addington received salaries of £100 a year each, whereas there were no surgeons to the gaols at Auckland and other places, the Provincial Surgeons doing the work for nothing. That was not right.

Mr. BURNS hoped the Minister of Justice would consider well before he altered the system which had worked so well in Dunedin. He recollected, when it was first proposed to send the prisoners outside the gaol to work, the blank astonishment with which the Gaoler heard it; but after a time he found that it worked exceedingly well. He (Mr. Burns) might say that he himself was the first to get that system started, and the result was that he succeeded in getting the harbour deepened by means of prison labour at a cost of nothing to the colony. The way to look at this question was not to take the mere sums that were placed on the Estimates for one place and compare them with the amounts put down for another place, but to consider the amount of work done and the receipts for it. A gaol should receive credit for the work it turned out. After all, the system of gaol management was still in its infancy, and every country was trying to arrive at the best system. If, then, the colony had a system that worked well, it need not care what was done in other countries.

Mr. SWANSON was sure the Government would have too much sense to make a cast-iron rule for all gaols. There must be considerable variety according to local circumstances. In some places the prisoners could be employed at one kind of work which it would not be suitable to employ them at in another place. A great deal

depended on the material and work to be found in proximity to the gaol, and the money that could be made out of it. He also wished to say that he hoped the young people who were in gaols might be instructed in such work as would be useful to them in after-life.

Item, £40,403 12s., agreed to.

Land Transfer Department, £9,060, agreed to.

Deeds Registry, £9,200, agreed to.

### CLASS III.

Postal Department, £140,018.

Mr. FISHER wished, before the Committee proceeded to consider this vote, to refer to opinions that had been expressed with regard to the conduct of Civil servants towards the present Government. He took the opportunity of saying that he had received the greatest assistance from the gentlemen who managed the Postal and Telegraph Departments, and he might say, also, that whenever he applied to his predecessor in office that gentleman had always been most ready to afford him any information he required. There was a decrease in the expenditure in the Postal Department to the extent of £6,429; and there was an increase in the Telegraph Department, which was caused by expenditure on necessary works. In going through the various items in the departments he found that the greatest economy had been exercised, and no fault could be found with the departments in that respect. It was generally allowed that they were not the best-paid departments in the Civil Service.

Mr. J. O. BROWN hoped the honorable gentleman would, during the recess, give his attention to the question of increasing the salaries in these departments. He felt certain they were worked with too much economy. If the Government had good men they should give them suitable remuneration. The duties of the officers in these departments frequently extended over much longer hours than in other departments, although they received less pay. He thought the salaries should be more equalized.

Mr. McLEAN said the Postal Department was very well managed, and there were really very few mistakes made. He must say that, although a young man, the Secretary was very efficient and very firm, and could manage his department as well as any officer he knew.

Mr. J. O. BROWN wished to direct attention to the item of £8,000 for the Suez Service. He did not see why this money should be voted. The mails left almost on the same day as those by San Francisco, and he did not think it was desirable that they should continue the expense. It would be better if some arrangement were come to with the New South Wales Government that would be more convenient to New Zealand, and that they might have a fortnightly mail if possible.

Sir G. GREY said that the Government would give the matter their careful attention.

Mr. FISHER stated that the contract for the Suez Mail Service did not expire until October next.

Mr. McLEAN observed that it would be impossible to have a fortnightly service, inasmuch as the vessels had to run down the coast.

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Mr. BURNS thought that the route by the Cape would be preferable. Some arrangement might be made by which the mails could be sent by the boats on that line. They could then have the letters delivered a considerable time before the Suez mails were delivered, and they would get their letters at a much cheaper rate than at present. He thought that that line, which he had advocated last session, would be even better than the San Francisco route.

Mr. MACANDREW said that this was a very important matter, and one in which he had always taken a very deep interest: in fact, he might be considered as the author of the San Francisco Service. As this service existed now, he did not think it was worth the money. He thought that a saving of £30,000 a year might be effected in connection with this service, and if they could honorably break the contract existing he would be inclined to do so. The Government, however, ought to be chary of interfering with this or any other service without an expression of opinion on the part of the House, and he would be glad if that expression of opinion were given now.

Mr. REYNOLDS said the service did not cost anything like £32,000 a year. The postages and the English contribution reduced the cost to about £8,000.

Mr. HUNTER objected to any vote being taken upon this question upon the spur of the moment. It was a very important matter, and, if there was to be a discussion upon it, proper notice should be given. The Minister for Lands seemed to misunderstand the position of the matter: at any rate, he miscalculated the cost. The cost to the colony was only £8,000, which was a very small sum when they considered the efficiency of the service, and the regularity with which the mails were delivered.

Mr. MACANDREW did not wish to do anything rash in the matter: at the same time, if they could save £32,000 a year they should do so. No doubt a portion of the cost was returned in the shape of postages, but really the matter was as broad as it was long—the receipts from postages ought to be much the same by whatever route the letters were forwarded. However, he thought, and had often thought, that the great omission of which they had been guilty in connection with the Immigration scheme was that they had taken no steps to initiate a direct postal steam line to the colony. If that scheme had been properly managed when the immigration arrangements were initiated they would have had steamers by a direct line arriving here once a week, either by way of the Cape or by the Straits of Magellan. That was what they ought to work up to even now.

Mr. HUNTER said the Hon. the Minister for Lands was under a strange misapprehension with regard to the San Francisco line. The point was that if they abandoned the San Francisco line and sent their letters by way of Melbourne they would have to pay to the Victorian Government an amount quite equal to what they had to pay for the maintenance of the San Francisco Service. Therefore it was simply a question whether they

should subsidize the San Francisco line, or pay a contribution equal in amount to the Victorian Government.

Mr. BURNS thought the subsidy given to the mail steamers ought to be given as much to secure the comfort of passengers as for the carriage of the mails. The great objection to the San Francisco line was the long land transit from San Francisco to New York, which would always prevent the line being a favourite route. The line of steamers now running by way of the Cape of Good Hope afforded far greater comfort to passengers than did the San Francisco steamers. That was a service which might be made very useful to the colony. He thought both the Postal and Telegraph Departments were admirably managed, but he had always had the feeling that the employees were under-paid. Educated women in the Telegraph Department received far too little remuneration for their work, and a very small additional sum would be a very great boon to them, and would not be missed by the country.

Mr. FISHER wished to call attention to the item, £2,500 for a steam service to Fiji. Tenders were called for it, and the lowest of those sent in was £3,500. That was considerably in excess of the amount voted last year, and nothing had been done in the matter. The Government deemed it best to leave the House to decide the point.

Mr. HUNTER, in reply to the remarks of the honorable member for Roslyn as to the discomfort experienced on the San Francisco steamers, said it was a curious fact that in almost every instance these steamers carried a full complement of passengers. He knew, as a matter of fact, that the service was regarded with great favour by the travelling public.

Mr. McLEAN said it was true the tenders for the Fiji service were an increase on the amount voted by the House last year, but it was worth while to consider whether it would not be judicious to vote an increased sum in order to secure the maintenance of the trade with Fiji. The Governments of New South Wales and Fiji each contributed to a service, and at the present time most of the trade found its way to Sydney. He questioned whether the subsidy would secure the trade to New Zealand, but the House should give it a trial. No doubt there would be a loss at first to any company undertaking it, but it might lead to a very great ultimate gain. He had for some time advocated the establishment of the service, because it would be of immense value to the colony if it should secure the trade. If the House did not approve of the tender at the increased rate, the best way would be to strike out the sum.

Mr. HUNTER said he should object to the item being struck out. If the service could be performed for the sum voted last year it would be as well to leave the item on the Estimates.

Item, £140,018, agreed to.

Telegraph Department, £35,652, agreed to.

Subsidy payable to Eastern Extension, Australasia, and China Telegraph Company for Australian Cable, and contingent subsidy, £5,240, agreed to.

#### CLASS IV.

Customs, £41,103 16s. 6d., agreed to.

Marine and Harbours, £35,607 5s.

Mr. ROWE inquired how it was that no sum had been set down for the payment of services rendered in connection with the Thames Harbour.

Mr. McLEAN said that the Thames Harbour Board, with other similar bodies, had last year got a Bill passed by which they were to take full charge of the harbour, and obtain the Thames foreshore. However, the Board had refused to accept the powers conferred upon it, and had insisted upon the charges being met from the colonial revenue as heretofore. Arrangements were now being made by which they would do so, and take over the foreshore.

Mr. ROWE said that, owing to the neglect of the honorable member for Waikouaiti when in power, very little had been done, and the harbour officials were now afraid that their pay would be stopped immediately.

Mr. McLEAN observed that the officials had always had their money, and no doubt would be paid by the Government until the matter was settled.

Mr. GISBORNE assumed that the Hokitika Harbour was in the same position.

Mr. SHEEHAN stated that these charges would be met out of the colonial revenue until the questions pending were settled, and assured the honorable member for the Thames that the question of the Thames foreshore would be arranged in two or three months.

Item, £35,607 5s., agreed to.

#### CLASS V.

Education, £135,000.

Mr. KENNEDY inquired whether it was proposed to place any sum on the Estimates for what were known as aided schools in various parts of the colony. It was usual, when changes of this kind were made, not to at once withdraw all assistance.

Mr. GISBORNE reminded the House that the late Minister of Justice had promised to put a sum on the Estimates to keep up these schools for the current financial year.

Mr. SHEEHAN said that promise would be kept by the present Government.

Item, £135,000, agreed to.

#### CLASS VI.

Native Department, salaries and contingencies, £20,322 6s. 3d., agreed to.

Native Schools, £11,571 13s. 4d.

Mr. SUTTON called attention to the items—Pakowhai, £100; Omaha, £111 13s. 4d.; and Wairoa, £140. He did not know the condition of the school at Wairoa, but there had been no school or schoolmaster at Pakowhai for the last eighteen months, although there was a very good building at the place, which, however, was used for another purpose. At Omaha, also, the school building was not used for education; and altogether the condition of the Native schools at those places was very unsatisfactory.

Sir R. DOUGLAS said if there were any items upon which the money was not expended it could be advantageously devoted to the esta-

ishment of a school at Ngunguru, which would be used by all the Natives along the coast. A school building had been already commenced there, and arrangements made for opening it.

Mr. SHEEHAN, in answer to the honorable member for Napier, said the honorable gentleman was quite right as to the condition of the schools; but the money had not been spent, nor would it be this year. Every exertion would be made to reopen the schools at the places named, which were both important settlements. As to the school at Ngunguru, he could only say that the Government intended to place a further sum on the Supplementary Estimates in aid of Native schools, and if the Colonial Secretary and himself were able to make the saving they anticipated in the Native and Defence Departments they would ask the House to allow the bulk to go towards the extension of Native schools.

Mr. ROWE impressed upon the Native Minister the advisability of pursuing the very beneficial policy inaugurated by Sir Donald McLean in the establishment of Native schools, the advantages of which were conspicuous at the Thames, where both the European and Native children were as much as possible educated together.

Captain RUSSELL said that in his district the European and Native children attended the same schools where possible. He wished to call the Native Minister's attention to the fact that the endowment to the Ohakau School had not been paid for the current year.

Mr. TAIAROA asked whether the £500 for the education of the sons of Native chiefs was confined to those of the North Island. The amount for the erection of school buildings should be increased. He had made many appeals to the Government for the erection of schools which were much required, and the reply he had received was that there was no money for the purpose.

Mr. SHEEHAN, in reply to the honorable member for Napier, said that the estate he had mentioned was not under the control of the Government. With regard to the inquiry of the honorable member for the Southern Maori District as to the item for the education of the sons of Native chiefs, the fund was available equally to the Natives of both Islands. The Government proposed to increase the fund this year by £1,000, which they had placed on the Supplementary Estimates, to be expended upon children who showed an aptitude for trades and professions. As to the school buildings, the Government would have to ask for an increase, as the sum at present available was not sufficient to meet all requirements, and particularly those referred to by the honorable member who had last spoken.

Item, £11,571 13s. 4d., agreed to.

"Native Lands Frauds Prevention Act, 1870," £420.

Mr. SUTTON remarked that no reports from the Commissioners had been furnished this year, or, he believed, last year.

Mr. SHEEHAN said the law did not require such reports. They were made on two occasions, but those were troublous times. Reports had only come in from one quarter—Hawke's Bay.

*Sir R. Douglas*

Mr. SUTTON thought this was one of those cases in which it would be a public benefit to have reports. There were only three districts, Wellington, Auckland, and Napier, and it was advisable that the public should be able to judge of the success or otherwise of this measure. His own impression was that it was a very necessary institution.

Mr. SHEEHAN said the only reports made arose out of matters to which neither the honorable gentleman nor himself should allude, and which were exceptional. They might as well ask for a return of all European sales, leases, and mortgages. It would be an invasion of private rights to require a return of these land transactions. He would have no objection to a general report of the operation of the Act in each district.

Item, £420, agreed to.

Wairarapa 5 per cent. Land Purchase Account, £150, agreed to.

#### CLASS VII.

Militia and Volunteers, £34,522 12s. 10d.

Mr. REYNOLDS would like to call the attention of the Government to the necessity for a great reduction in this item. He thought it was utterly unnecessary to have Volunteers in the Middle Island, or in the City of Wellington. But he trusted that the Government would not neglect the drilling of boys attending the public schools. He would be glad to see the Government provide for the drilling of all boys attending the public schools. He noticed that there were several large salaries provided for Commanding Officers, and so forth, in the Middle Island—items which he thought were quite unnecessary.

Mr. SHRIMSKI also thought it was high time to reduce the expenditure under this head. The drill instructors, however, who really did valuable work, should be properly paid.

Mr. BOWEN said notice had been given to the Commanding Officers throughout the Middle Island that their services were to be dispensed with.

Mr. SHEEHAN stated that the Commanding Officers in Canterbury, Nelson, and Southland ceased to hold office on the 20th of last month. On the general question he entirely agreed with what had fallen from the honorable member for Port Chalmers. He thought that this was one of the most absurd votes on the Estimates, and one on which a very great saving could be made with benefit to the public. With the exception of the Artillery and Naval Volunteers, he really thought the Volunteers in the Middle Island were quite useless. In the North Island, except in the out-districts, there was no necessity for encouraging Volunteering. He might state that the Government proposed to make reductions in this department to the amount of £8,000 or £10,000. He would not mention how the reductions were to be made, because if he did so he would have an army of colonels and majors after him. The reduction would only be available for a half-year, so that, although the reduction for the whole year might be £10,000, the actual saving would only be £5,000. A portion

of the money so saved would go to increase the Armed Constabulary vote. That was an efficient force, which might be of some use; but, while they had been keeping up the Volunteer Force, they had been cutting down the Armed Constabulary Force to the lowest limit.

Captain RUSSELL was extremely glad to hear the statement of the Native Minister. He objected to Volunteers altogether. He based his objection to the Volunteers on this: that the Militia Act in force in this colony provided that every man between sixteen and forty years of age should serve in the Militia. He could not understand what possible good could be expected from Volunteers, excepting, of course, Artillery and Naval Volunteers, or Cavalry Volunteers. At the same time, he thought that those gentlemen who had served the colony for some years as Commanding Officers ought to have a claim for employment in the public service when opportunity offered. He thought it was unjust that a man who had been induced to take a certain post, even though it might be a sinecure, and who had filled it for some years, should be suddenly turned adrift to sink or swim.

Mr. ROWE thought very differently from the Native Minister and the honorable member for Napier on this subject. The expenditure in connection with the Volunteers in the Middle Island was so much money wasted. The case was, however, different in the North Island. In districts such as his own, where there was a large Native population, he thought the Government should encourage the Volunteer Force to a much larger extent than they had hitherto done. The proper action for the Government to take in this matter would be to drill the young people in the schools, and encourage the military spirit among them. He saw provision was made for two drill instructors at the Thames. He knew that only one of them did any work, and one was quite sufficient.

Mr. SWANSON would move, That the vote be reduced by £4,000. If that were done the Government would still have enough money to maintain the Volunteers. If the House agreed to strike off this sum, the Government would be in a position to make such reductions in the Volunteer Force as they thought proper. He might say that, if the Militia were called out, the ammunition in the colony would be found to be greatly insufficient in quantity.

Mr. GISBORNE hoped that the Government would consider well before they disbanded the Volunteers in the North Island. It was very distasteful to people to be called out as Militiamen, and it possibly might cause many to leave the colony. It must be remembered that the Militiamen were not trained, while the Volunteers were always ready to take the field. The Volunteers had already distinguished themselves, and the colony might require their services again.

Mr. TAIAROA wished to know from the honorable member for the Thames (Mr. Rowe) what the Volunteers had to do there. He would like to know whom they were going to fight against. There could be no Maori war, for the simple reason that if the present Government remained in office there would be peace between the two

racés, and, if the honorable member would support the present Government, that would be maintaining peace.

Mr. ROWE considered that the best way to maintain peace was to be always ready to fight.

Mr. SHRIMSKI thought that men who took an interest in Volunteering should give their services gratuitously.

Sir R. DOUGLAS concurred in the remarks of the honorable member for Napier (Captain Russell). In his own opinion all the Volunteers in the colony ought to be got rid of, excepting the Naval and Artillery Corps. They were of some use, but the rest were worse than useless. The best way to prevent a Native outbreak would be to prohibit the importation of percussion caps. The vote might very well be reduced by £10,000. The Militia distinguished themselves during the Maori war, but he did not know that the Volunteers had done much.

Mr. GISBORNE said that any one who studied the history of the late Native war would know that the Volunteers had done as much good as any other body which took part in the various engagements.

Mr. HAMLIN thought a considerable saving might be made by doing away with a number of the commanding officers. Their work might be done by efficient drill instructors. He did not see how any reduction could be made in any other way. When the honorable member for Marsden said that the Militiamen distinguished themselves more than the Volunteers during the late war, he was evidently talking without thinking. Perhaps the honorable gentleman did not remember the battle which was fought at Mauku. Did ever forty soldiers stand up against an enemy on the open ground and fight as they did? They had heard of soldiers allowing the Natives to rush through their ranks, and they were men who had been trained from their youth to the use of arms; but they had never heard of the Volunteers doing that. The Natives did not rush through the ranks until the Volunteers were cut to pieces. The Volunteers were ready at all times to defend their hearths and homes, but they were not thought much of by the "regulars" because there was not enough red-tape about them. Men who spoke in that way about the Volunteers knew nothing about them. He considered that a reduction might be made in the number of Commanding Officers. If the Volunteers were not efficient, it was the fault of the House in not framing proper regulations, and because there was no proper control.

Sir R. DOUGLAS explained that he did not doubt the courage of the Volunteers. He merely complained that they were not disciplined. He had served in the war on the East Coast, and he had come to the conclusion that the Volunteers were not fitted for war. The Militia, on the contrary, did remarkably well on several occasions, and the Cavalry Volunteers did good service; but many of them were old soldiers, and all of them were well disciplined. In fact, Volunteering was simply playing at soldiers. Some of the Volunteer regiments consisted of a captain, a lieutenant, three men, and a large band.

Mr. NAHE was sorry to hear anything said against the Volunteers. The objection appeared to be in regard to the money, but he thought that money should be spent to make them soldiers and Volunteers. They did not know the feelings of the outside Natives to the Europeans and the friendly Natives, and they ought to be ready to meet those Natives. If the people of the country did not teach themselves to be soldiers they would have to call for assistance from elsewhere, and that would cost more money. He objected to money being spent on Native Assessors in some of the districts. He did not know what good they did to the people. They did not work, and the European Magistrates had to do it all. He therefore thought that the money which was being spent on Native Assessors was wasted, and it would be better to spend it on Volunteers.

Mr. SHEEHAN had said nothing in disparagement of the Volunteers in the North Island, but thought the colony should only pay for their services in outside districts, such as the Thames. If all the Volunteers were like those at the Thames he should have faith in them, but there were places where Volunteering was a perfect farce. He had seen Volunteer inspections at which there were seven grown-up people, five cadets, two or three officers, and a commanding officer, who sent them out in skirmishing order, while a band of fifteen men played for their amusement. That was the sort of thing he objected to paying money for.

Item as reduced, £30,522 12s. 10d., agreed to.

#### CLASS VIII.

Constabulary, £133,625 10s.

Mr. REYNOLDS would call the attention of the Government to one thing which was very unsatisfactory in Otago, and he believed also in Canterbury. That was, that the Constabulary, instead of being a civil force, were turned into a military force. Rifles had been sent down, and the men had been put under regular military drill. He would always oppose any Government that maintained a military force instead of a civil force in Otago. He hoped the Government would not keep up that force.

Mr. McLEAN was sorry the honorable gentleman should be so very severe about putting a musket into a "Peeler's" hand. It could do no possible harm to train the men in the Middle Island, when reductions were being made in the Armed Constabulary. They were not likely to be called upon to fight, but the fact of there being a trained force which could be called upon at any time would be sufficient to prevent a Native outbreak, because the Natives knew quite well what forces the Europeans had. There was no knowing what might happen, and he was sure the men in the Middle Island would not object to be called away if an outbreak should occur, when their places could be supplied by civilians, if necessary.

Mr. SHEEHAN thought the objection of the honorable member for Port Chalmers was perfectly good. A standing army was not required in the Middle Island. The police force there

should be a civil corps, as in the Home country. The best thing would be to demilitarize that force, and bring them back to their old condition. During the recess the Government would turn their attention in that direction.

Mr. BOWEN would like to say, with regard to demilitarizing the police force, that everybody was agreed that the police should, as far as possible, be a civil force. But this was one of the cases in which there had been a vigorous attempt at economy, which resulted as usual in strong opposition. The late Government reduced the number of the Armed Constabulary in the North Island by 200 men and a large number of officers, thereby saving about £30,000 a year. This was really a reduction of expenditure worth making. They had not dared, however, and could not even now attempt, to make such a reduction without having a reserve force in case of emergency. This they succeeded in establishing, without in any way altering the discipline or management of the police force in the South Island, by sending down some rifles and having the men drilled in spare hours. It was a very slight sacrifice for the South Island to make that its police should be trained to the use of arms in case of emergency in the North Island. No call could be made on the southern police for military service unless a special emergency arose.

Mr. MACANDREW was very glad to hear the explanation given by the honorable member for Kaiapoi with regard to sending guns down to the police in Otago.

Mr. REES said there were definite powers under the Act by which the Constabulary could have been called into the field and put on active service. They would not have been amenable to any civil tribunal, but would have been under military rule. There was no harm in policemen being drilled in the use of firearms, but what they wanted was a body of men who would perform real police duties.

Mr. SHRIMSKI thought the constables ought to be paid at a higher rate than 6s. per day, for they had responsible duties, and had to be out day and night in all weather. Ordinary labourers received 8s. a day. The increase in pay might be provided for by reducing the number of constables in Wellington, where there were fifty or sixty, many of whom had really nothing to do.

Mr. BOWEN said that it was the military portion of the force which received 6s. a day in the North Island. They did not do civil work; and there was a clear distinction between the two classes in the force.

Captain RUSSELL held that, if the colony could get the services of good men at 6s. a day, they would be foolish to go out of their way to pay more money. Some men had a great objection to manual labour, and preferred to shoulder firearms rather than to break stones. He had no feeling whatever on the subject if it was determined that these men should walk about the streets in blue coats with rifles over their shoulders. Honorable members overlooked the fact that one of the smartest and most distinguished corps in the world was a corps almost identical in

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character with the Constabulary of New Zealand. He referred to the rural police of Ireland, who were a highly-trained body of men. It had been said that they had committed an innovation by establishing the New Zealand force, but the innovation was committed in organizing the Irish rural police.

Mr. DE LAUTOUR said that the rule which had been developed of putting everything on one level was doing a great injustice in this way: The police-constables received the same rate of pay wherever they were stationed. The effect of that was that a man might have a salary upon which he might live comfortably in a town such as Dunedin, Auckland, or Wellington, where provisions were cheap, and where he could buy clothing at a cheap rate, but when he was stationed one hundred miles up-country with the same pay he would be driven from the force. It was well known that the police stationed on the gold fields in Otago received such a small rate of pay that they had been obliged either to leave the service or be dishonest. That was a most important matter, which he hoped the Government would consider, as uniform pay was incompatible with justice under such circumstances.

Dr. HENRY said the police on the gold fields should certainly be paid more than they now received. If they wished to secure efficient men they must give them a higher rate of pay. The pay received under the provincial authorities was considerably higher than that now given, and the result of the reduction was that there was a great deal of dissatisfaction in the force.

Mr. SUTTON stated that there were localities where the men could not live on the same rate of pay as they could in other places. In case of any outbreak or disturbance the Armed Constabulary would be an efficient force, a nucleus around which the Militia and Volunteers could rally. He thought it would be much better to have a force such as they had at present. The difficulty that had been mentioned would be got over by the Government issuing some further regulations in regard to the men stationed on the gold fields, so that they might receive some extra pay. He believed a regulation was issued in the *Gazette* some time ago under which constables residing in settled districts received 1s. a day extra, and he believed that policemen in Wellington received this.

Mr. MURRAY-AYNSLEY observed that when the gold fields started in Canterbury they gave what was called a "gold fields allowance" to the police stationed there. A great deal of discontent existed among the police owing to the recent changes that had been made. For instance, a sergeant-major who was receiving 13s. or 13s. 6d. a day was suddenly told that his pay had been reduced to 10s. That was a great hardship upon long-service men, who had never had any complaints made against them. He hoped the Minister of Justice would take these cases into his consideration, so that those men, there only being four sergeant-majors, should have full pay given to them, for it would not involve an outlay of more than £200 a year altogether. Any new sergeant-

majors might come under the existing regulations.

Mr. GISBORNE said there was a good deal in the argument against applying the same rate of pay to members of the police force wherever they might be stationed. The Government should have some discretion in the matter of giving the police stationed, say, on the gold fields on the West Coast a higher rate of pay than those stationed at Christchurch. They were really doing an injustice to the men stationed on the gold fields by not giving them a rate of pay in proportion to the expense of living.

Mr. SHEEHAN had found this a very unpleasant and unsatisfactory question to deal with; but there was a principle which ought to guide them in dealing with these salaries. He thought that in the gold-field districts and in the out-districts a difference ought to be made in the rate of pay given to men stationed there. The Government would endeavour to make some alteration in this respect.

Mr. SWANSON believed the principal objection to giving these men military training and drill was that it had a tendency to alienate them from the people—to call into existence a separate caste. In the ordinary police force there was a certain amount of sympathy between the men and the people of the place at which they were stationed. The police did not like to be moved about from place to place, and the people did not like it either. He had never seen that smart and efficient police force in Ireland, but he had heard a great deal about them. He remembered the murders and other outrages that were committed in Ireland some years ago. The constabulary were called out, and the whole thing was commented on in the *London Times*. But it was found that for the purpose of bringing murderers to justice they were perfectly unfit. They rode down to the scene, there was a great jingling of swords, but they did not get the people who were wanted. These men might be very good in a riot or in the open field, but not in the detection and apprehension of criminals. Another matter to which he wished to call attention was this: that, when complaints were made against the police in any district, those complaints should not be left to be investigated by the police themselves. He knew of one case where a complaint was made. The complaint was forwarded to Wellington, instructions were sent back to the officer to investigate the case, the inquiry was made secretly amongst the police themselves, the persons complaining were never communicated with, and the result was that a report was sent back to Wellington stating that everything was perfectly correct, and that there were no grounds for the complaint. He knew, as a fact, that there were grounds for it. He hoped that in future those matters would be referred to some outside authority for investigation.

Mr. BOWEN did not wish to be misunderstood in his opinion about the Irish police. They were a fine body of men, who admirably served the purpose for which they were required. He did not wish to see a military force established in New Zealand; but there had been circumstances



in this colony which required the presence of an armed force, just as there were circumstances in Ireland once that required an armed force there. They did not ask that the police should be dealt with as a military police, but that they should, in their spare hours, be trained to the use of arms, in order to be able to assist the police of the North Island, should the necessity arise.

Mr. KENNEDY thought it possible that a uniform rate of pay would inflict great hardship in some cases. It would be unfair to expect men to accept 8s. a day in districts where the ordinary rate of wages was 10s. a day. Many of the police on the West Coast were men with large families, which could not be maintained on 8s. a day. In fact, many of the best men in the service had already resigned, and many more would also resign unless a more reasonable rate of pay was given them. He was glad the Government intended doing justice in this matter by increasing the remuneration to police officers on gold fields.

Item, £133,625 10s., agreed to.

Contingent Defence, £5,000, agreed to.

#### CLASS IX.

Government Domains, £1,191 4s., agreed to.

Public Buildings, £24,715, agreed to.

Office of the Colonial Architect, £2,225.

Mr. STOUT saw no reason why the salaries in the Colonial Architect's Office should be increased. The amount voted last year was £1,955. He would therefore move, That the item be reduced by £225.

Item as reduced, £2,000, agreed to.

#### CLASS X.

Railways, £434,143, agreed to.

Progress was reported, and leave given to sit again.

The House adjourned at twenty minutes to two o'clock a.m.

### LEGISLATIVE COUNCIL.

*Saturday, 24th November, 1877.*

Second Readings—Third Readings—Call of the Council—Gold Mining Districts Bill—Crown Redress Bill No. 2.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

#### SECOND READINGS.

Cemeteries Bill, Hokonui Education Reserve Bill, Marine Bill.

#### THIRD READINGS.

Otago Girls' and Boys' High Schools Bill, Wellington Reserves Bill, Little River Exchange Bill, New Plymouth Reserves Bill, Waikouaiti Atheneum Bill.

#### CALL OF THE COUNCIL.

The Hon. Mr. BUCKLEY.—Sir, I would not have moved the motion standing in my name unless some important business was coming before the Council; and we have every reason to know

*Mr. Bowen*

that during the next week or fortnight very important business will be brought before us, which will, I think, justify a Call of the Council. Not only are there several members absent, but other members contemplate leaving. The important business that I allude to is the consideration of the Land Bill, the Loan Bill, and also the Bills required to make the proposed alteration in the distribution of the land revenue. The latter is a proposition to alter the law which has been in force in the colony for the last twenty years, and, although the time has now arrived that some change must be made, I think it is as important a question as is likely to engage the attention of the Legislature for years to come. I therefore think that there ought to be a full attendance.

Motion made, and question proposed, "That, taking into consideration the important business likely to come before the Council during the remainder of the session, it is desirable that a Call of the Council be made for Friday, the 30th instant."—(*Hon. Mr. Buckley.*)

The Hon. Colonel WHITMORE.—The honorable member has not given a very good reason why he has taken a very unusual step at such a period of the session. I hardly think that honorable members who were absent could have been ignorant for several days past as to what the policy of the Government was, and, if they entertained strong views, I certainly think that, with the present improved means of communication in the colony, we should have heard of their intention to come back. We have, for this period of the session, a very strong Council. I hardly remember ever seeing so full a Council at this period, and I think it would not be well to put gentlemen to the inconvenience, without the excuse of extreme necessity, of returning to Wellington. I have not counted heads, and have not canvassed honorable gentlemen's opinions, and therefore I cannot say whether a call of the Council would be at all likely to affect our ultimate decision. I apprehend we represent among ourselves a very fair average of opinion, and if the proposals of the Government are carried it will be by members who come from those provinces which are most interested in the Government proposals, and which will sacrifice most by the adoption of them. I think almost all the members from Canterbury and Otago, with the exception of one or two, are here; whereas some members from provinces not so directly interested are not here. I think, therefore, there is no particular reason why we should disturb honorable gentlemen by dragging them from their homes merely for the sake of giving their voices upon this one question. If the Government, who are most interested in carrying out their proposals, are content to take the verdict of the Council as it at present stands, I cannot understand what object there can be in persons who hold contrary views urging the Council to consent to a Call, which will only have the effect of strengthening those who favour the opinions of the Government.

The Hon. Captain FRASER.—I should be glad to support the motion were it not for the

great inconvenience which would be caused to a gentleman who has got leave for the remainder of the session—one who, whilst here, took upon himself a large part of the work. I mean the Hon. Mr. Bonar, who would be put to a great deal of inconvenience. On the other hand, there are two gentlemen away who, even when in Wellington, are generally conspicuous by their absence from the Council. It would be of very little use to call them here now.

The Hon. Mr. MANTELL.—I think the arguments of the Colonial Secretary are not altogether convincing. He says that the Government are content with the Council as it stands. Now, as far as I can foresee the questions of importance likely to come before the Council, I think I am a supporter of the Government; but I think it would be more satisfactory that we should have the greatest possible number of members present to discuss the Government proposals. I shall not regret very much if the Hon. Mr. Buckley's motion is not carried, as I have some sympathy with honorable gentlemen who would be inconvenienced by having to return for a few days; but, at the same time, I feel bound to support the motion.

The Hon. Mr. HALL.—I also feel bound to support the resolution. I quite recognize, with the Hon. Captain Fraser, the services Mr. Bonar has rendered to the Council, which I believe would give him a special claim to consideration; and I think that it would be competent for the Council to extend consideration to him if a Call were made. It is not a question whether there are a sufficient number of members here to transact the business, whether the Government wants other members to attend, or whether one party or another—if there be such things as parties in this Council, which I do not at all believe—would be strengthened if a Call were made; but it is a question whether or not, on an occasion when we are to have before us the most important measures that have been before the Council for many years, we should not call upon all members of the Council to put themselves to equal inconvenience. No doubt it would be inconvenient for some gentlemen to attend in their places, but I am of opinion that to many of us now here it is just as inconvenient to remain as it would be to others to come back. I know that it is not only a matter of inconvenience to myself to remain here, but personal loss, and daily worry and anxiety. I do not think it is reasonable that, while some honorable members feel it to be their duty, notwithstanding these circumstances, to remain at their posts, honorable gentlemen who have not the same keen sense of duty should be exempted from attendance. In the present crisis I think it is right that all members should be in their places, and I shall therefore support the motion. If any honorable member does not attend in his place he can make a representation to the Council, and the Council if it thinks fit need not impose any penalty or fine.

The Hon. Sir F. DILLON BELL.—I do not wish to add anything to what I said on a cognate subject yesterday that might be in the least offen-

sive, but I must express the sense I entertain of the responsibility that attaches not only to the Council but to the Government in this matter. We cannot conceal from ourselves that the policy which the Government propose is one which, reversing, as it does, the system which has been in existence for twenty years, materially affects many and various interests and rights. I would not have referred to the policy of the Government if it had not been for what the Colonial Secretary said. I rather hoped that the honorable and gallant gentleman would have more fully explained his policy to the House. It is quite true, as the honorable member says, that we ought to be aware of what is going on; but, speaking with all due respect to him and to his position, I should like very much to learn from himself in a direct form what the Ministerial proposals really are. It is quite true a paper has been circulated which we know as the Second Financial Statement; and that the cardinal feature of it is the adding of the Land Fund to the consolidated revenue. But I think, in a matter of so much consequence, it would be very desirable that we should have more precisely stated to us in what shape effect is to be given to that scheme. I thoroughly admit that the Government are not to blame in this matter so far, because the House of Representatives has not yet decided upon the particular form the scheme will take, and until then it may be said to be only an inchoate proposal. But every one in the Council must see that a vast amount of statute law, which has sprung into existence since the policy of borrowing became its leading feature, will be greatly affected by the proposals of the Government. The honorable and gallant gentleman will admit that one of two things must be done: Either the completion of that policy, after its acceptance by the House of Representatives, must be postponed till next session so far as regards giving legal effect to it, or we must have time to discuss in the Council the measures which will give effect to that policy, at least equal to the time occupied in the same work by the other House. Incidentally, too, the financial proposals of the Government largely affect legislation already before us. I ask my honorable and gallant friend to do the Council the justice of showing how he will advise the Council as to the effect which his financial proposals will have upon the numerous schemes now under consideration in both Houses for the reservation of large areas of land. Surely we are entitled to know the opinion of the Government as to how we can make those proposals harmonize with the new financial policy before the other House? There is now before Parliament a proposal to take the Land Fund into the consolidated revenue; and simultaneously we are now considering schemes to reserve large areas of land, nearly a million and a half acres, for the purpose of constructing new railways. A Committee is still investigating these schemes, and, so far as the evidence goes, it is to the effect that, as regards a large part of the land proposed to be reserved, it will exhaust the only land which can be looked to as a source of immediate revenue. If that be

proved, after further consideration and a more complete *conspectus* of the effects that will flow from the reservations, surely we are entitled to ask the Government to tell us what will be the effect upon their financial policy. If it be true that, by the reserves we are asked to make, we deprive ourselves of present revenue from the sale of land, would it not be a serious question whether the revenue will derive real advantage from our taking the Land Fund? Moreover, we know that in taking the Land Fund the very first step will be to repeal the Financial Arrangements Act. When that Act is repealed, what is the provision which the Government proposes to make for meeting the liabilities already placed upon the Land Fund, when all these large reserves are made?

The Hon. Captain FRASER.—Sir, are we not straying from the question before the Council?

The Hon. the SPEAKER.—The question is, whether or not it is desirable to have a Call of the Council. Some honorable members have argued that it is desirable for the reasons given, and others have argued that it is not desirable for the reasons given. Therefore I think the honorable gentleman is in order.

The Hon. Sir F. DILLON BELL.—I am rather surprised the Hon. Captain Fraser should think there is any disorder in referring to a cardinal point brought before us by the Colonial Secretary. Does the honorable gentleman the Colonial Secretary think it has nothing to do with a Call of the Council?

The Hon. Colonel WHITMORE.—Nothing at all.

The Hon. Sir F. DILLON BELL.—Well, I think that is the very action on the part of the Government of which the Council has a right to complain. My honorable friend laughs at and treats with contempt a reasonable and temperate reference to subjects which appear to members of some experience in the Council to be—

The Hon. Colonel WHITMORE.—I must really rise to ask your ruling, Sir. The honorable gentleman makes the statement that I have made the motion before the Council. I state that I have nothing to do with the motion. He then proceeds again to direct a lecture at me. I say I had nothing to do with the bringing of the motion, and I must ask your protection, Sir, against this unusual scolding. As a matter of fact, I did not bring forward this motion.

The Hon. Sir F. DILLON BELL.—If the honorable gentleman really understands what he is speaking about, he must know that I said nothing of the sort. I was directing the attention of the Council to several points: First, I urged that the honorable gentleman should give fuller information to the Council as to the nature of the legislation by which the Government intend to give effect to their proposals; secondly, I was urging that, if we had a true idea—not from any statement which the honorable gentleman has thought it his duty to submit to the Council, but from the ordinary sources of public information—of the financial proposals of the Government, we must realize the fact that there is a vast change about to be made in the Statute law of

the country, which cannot be done in a hurry, and which ought to receive the attention of the whole Council. That is why I shall support the motion of the Hon. Mr. Buckley. I am not sorry that the honorable gentleman, by the use of words like others which were very offensive to me yesterday, has enabled me to take notice of what he said. The honorable member has again used those words that I was giving him a lecture—

The Hon. the SPEAKER.—I think the honorable gentleman is referring to a previous debate.

The Hon. Sir F. DILLON BELL.—I certainly would not refer to a previous debate, but the honorable and gallant gentleman has just said that I was giving him a "lecture."

The Hon. the SPEAKER.—In that respect the honorable gentleman is quite in order in referring to what has just occurred.

The Hon. Sir F. DILLON BELL.—I am not going to refer to a previous debate; I am not such a tiro as to give my honorable friend a chance of calling me to order. I venture to say that, during a long Parliamentary experience, I have never presumed on a position I might happen to hold, but have simply tried to do my work without fear or favour, and with due regard to the feelings and opinions of every honorable member with whom I might be brought into contact. The last thing I would ever attempt would be to put myself in so ridiculous a position as to administer a "lecture" to anybody, least of all to one whose ability and distinguished services to the country I recognize as fully as I do those of my honorable and gallant friend. But there are occasions when, without any impertinence, a politician who feels it to be his duty to the interests of the country to complain, may complain, as I do again, of what appears to me to be a light and contemptuous treatment of serious subjects by the honorable gentleman. We have not received from the honorable gentleman since he has been in office any information whatever as to the policy of the Government. He made one statement when he first joined the Ministry, but he has not since made any other declaration of the policy of the Government, still less of the means by which they propose to give effect to their financial proposals. We have not received from the honorable gentleman the guidance which we are entitled to receive from one who, in the time of political crisis and of great difficulty, undertakes the duty of leading this Council. But most of all I complain that, at a time when we are called upon to consider questions of the utmost importance, and legislation of the most fundamental character, we are threatened—I use the word without any offensive meaning—with a prorogation at such a date as will make it impossible for us to give proper attention to the subjects which the Government will bring before us. If that is a "lecture," Sir, I administer it; if that is impertinence, I am guilty of it. But, while I hold a seat in this Council, while the duty devolves upon me of assisting in the making of the law, I will not without remonstrance see this Council treated with slight, and with disregard of the relations which ought to subsist between the Legislature and the Execu-

*Hon. Sir F. Dillon Bell*

tive. The single declaration of importance in the Ministerial statement which the Colonial Secretary made when he took office, was that nothing would be done this session to affect the Land Fund—this, Sir, was the distinct engagement he then made with the Council. I thoroughly agree with him as to the policy of completely reversing that declaration, and doing now exactly that which he informed the Council there was no intention on the part of the Government to do. But at least I think the Council is entitled to receive at the hands of the honorable gentleman a statement of the reasons which have induced him to concur to-day in an absolute and fundamental reversal of what he said was his policy, and why he is going to do now the very thing which he assured the Council in his first statement that he and his colleagues had not the slightest idea of doing.

The Hon. Colonel WHITMORE.—The honorable gentleman well knows that I cannot answer him.

The Hon. Sir F. DILLON BELL.—The honorable gentleman is always entitled, as a Minister, to make any explanation which he considers necessary.

The Hon. Mr. BUCKLEY.—There is very little left for me to say in reply. It is admitted by all that very important business is coming before the Council. I wish to disclaim that in bringing forward this motion I was influenced in any way by party feeling. It is well known to many honorable members that the question of a Call of the Council has been mooted for some time past. The only reason I have heard against it is, that it might cause inconvenience to many of those honorable members who are absent. Well, those members are absent without leave, and, if they should sustain inconvenience, that would be an argument in favour of the Call, for they were showing great contempt towards the Council in not asking for an extension of their leave. It is only justice to those members who remain that the absentees shall be compelled to be present. It is well known that about the last week of the session members fall away very much, and we can hardly expect that all the members now present will be in attendance at the prorogation. I think very good reason has been shown why a Call of the Council should be made. The questions coming before us are of very great importance, and it is necessary that there should be as full an attendance of members as possible. Of course, where members could show good reasons for not responding to the Call, the Council would be ready to take those reasons into consideration.

The Hon. the SPEAKER.—Before putting the question I think it not undesirable that I should put the Council in possession of the facts of the case as regards the attendance of members. The number of members of the Council is forty-three. Three members have had leave of absence granted to them by the Governor; three have been absent during the whole session; there are three whose leave has expired, and who will probably be present soon—namely, Messrs. Acland, Campbell, and Gray; Mr. Bonar has received leave for the remainder of the session; and Mr. Peter is

absent without leave. That makes a total of eleven absentees, and leaves thirty-two members of the Council present; should those honorable gentlemen attend whose leave has expired, that will bring the number up to thirty-five. There is no chance of obtaining the presence of the three members who are absent by leave of the Governor, and I do not know exactly where the three who have been absent during the whole of the session are to be found—Mr. Kohere, Mr. Scotland, and Mr. C. J. Taylor.

Question put, "That the motion be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	7
Majority for	...	...	...	...	11

#### AYES.

Captain Baillie,	Lieut.-Colonel Kenny,
Sir F. Dillon Bell,	Mr. Lahmann,
Colonel Brett,	Mr. Mantell,
Mr. Buckley,	Mr. Miller,
Mr. Edwards,	Mr. Paterson,
Mr. Hall,	Mr. Peacock,
Mr. Hart,	Dr. Pollen,
Mr. Holmes,	Mr. Robinson,
Mr. G. R. Johnson,	Mr. Wigley.

#### NOES.

Mr. Chamberlin,	Major Richmond, C.B.,
Captain Fraser,	Colonel Whitmore,
Mr. Menzies,	Mr. Williamson.
Mr. Pharazyn,	

The motion was consequently carried.

#### GOLD MINING DISTRICTS BILL.

The Hon. Dr. POLLEN, in moving the second reading of this Bill, said that it was a rather remarkable little Bill. It had been introduced in another place by an honorable gentleman who represented the Thames Gold Mining District, and, after it had been in the hands of more than one honorable gentleman in the Council, it had come to him as a kind of waif. He had been asked to take charge of it, and had consented to do so. It proposed to amend Part V. of the Gold Mining Districts Act in certain particulars in which that Part had been found defective, and it proposed to amend them in a way of which he could not approve and of which he did not propose to ask the Council to approve. It provided that, notwithstanding the fact that those provisions in Part V. of that Act had the character of established law, the Governor in Council should have power to make regulations to alter the provisions of that Act in any way he deemed necessary, and it proposed to declare that, whenever any regulation so made by the Governor in Council was found to be repugnant to the provisions of this positive law, the law itself was to be held to be repealed in so far as it conflicted with the regulations. He had the greatest possible respect, which had not been lessened by considerable experience, for the tribunal of the Governor in Council, but he was not disposed to intrust to the Governor in Council the power of overriding the fixed

laws of the colony in the manner proposed by the provision of this Bill. He had said that it was a remarkable Bill. It was remarkable for the provision which he had mentioned, and it was also, to his mind, most remarkable as an evidence of the carelessness in another place which could have permitted a measure of this kind to pass without its being challenged. It would appear to honorable members that neither the honorable gentleman who introduced the Bill nor those who assisted him in passing it had taken the trouble to know anything at all about it, because there was one clause, the 5th, which declared that "all regulations hereunder" should be "made in the same manner as is provided in respect to general regulations under Part IX. of the said Act." Now, Part IX. of the said Act had nothing whatever to do with general regulations, the Part that had to do with general regulations being Part XI. It was certainly a remarkable Bill in both those particulars. Clause 6 was one with which he had some sympathy, and on its behalf he hoped to enlist the sympathies of the Council. The necessity for it arose in this way: The Gold Mining Districts Act, which regulated mining in the Hauraki District, was passed in 1873. It provided that all rights accruing under the Act which was repealed by its coming into operation should be preserved. Under the former law it was competent for the holder of a miner's right to obtain also a license for a machine site; and as long as he continued to be the holder of a miner's right, for which he paid £1 per year, he was allowed to continue to hold a machine site, for which also he paid £1 a year. Honorable gentlemen who knew anything at all of the early history of the Thames Gold Field knew that there was a great deal of money expended in the erection of batteries, of smaller or larger dimensions, over many portions of the field, and that, when the real merits and capabilities of those portions of the gold field were discovered, after a very sad experience, a great many of those smaller machines were allowed to stand idle in the places where they had been originally erected. The causes which had led to their being temporarily deserted in the way he described also led to the proprietors ceasing to hold continuous miners' rights which gave them the right to hold the machine sites for the small fee of £1. The 121st clause of "The Gold Mining Districts Act, 1873," provided that the sums payable for a machine site should be £10, for a business site £5, for a residence site £1. Those sums were to be payable annually in advance. The proprietors of large establishments originally erected, having a very great number of stampers, and who were in possession of continuous miners' rights, continued to pay £1 a year; while the owners of the small ones that had been deserted, and who did not hold continuous miners' rights for them, found, when they wished to transfer their interests under the Act, but could not do so without paying the larger fee of £10, a hardship which the 6th clause of this Bill proposed to remedy. It was stated by the honorable gentleman who introduced the Bill in another place that cases of this kind had been brought before the Gold Fields Committee, who

*Hon. Dr. Pollen*

reported that they were cases of very great hardship, and ought to be remedied. They were proposed to be remedied by this Bill, and the remedy would be found in the 6th clause, which declared,—

"It shall not be necessary to pay the sum of ten pounds provided for by clause one hundred and twenty-one of the said Act in respect of machine sites taken up before the said Act came into force, nor upon assignments or transfers of any such machine sites, although the person or company to whom such assignments or transfers may be made may not have been the holder or holders of a miner's right continuously from the time that such machines sites may have been taken up."

He was advised that there were not many persons affected by this provision, and that only about half a dozen would be affected by the change. It was for the relief of those persons that the Bill had been introduced.

The Hon. Captain FRASER thought they might very well pass the 6th clause. He believed there were only small machines affected by that provision. It appeared that those people had been endeavouring to get redress from the Government for four years, but nothing could be done for them because the Warden would not give a certificate.

Bill read a second time.

#### CROWN REDRESS BILL No. 2.

This Bill was considered in Committee.

New clause.—Time within which action may be brought.

The Hon. Mr. PEACOCK moved, That "six months" be inserted instead of "twelve months."

Question put, "That the words proposed to be so inserted be so inserted;" upon which a division was called for, with the following result:—

Ayes	✓	...	...	...	9
Noes	...	...	...	...	11
Majority against ...					2

#### AYES.

Captain Baillie,	Mr. Paterson,
Colonel Brett,	Mr. Peacock,
Mr. Buckley,	Dr. Pollen,
Mr. Hart,	Mr. Williamson.
Mr. Holmes,	

#### NOES.

Mr. Edwards,	Mr. Menzies,
Captain Fraser,	Mr. Miller,
Mr. Hall,	Mr. Pharazyn,
Mr. G. R. Johnson,	Sir J. L. C. Richardson,
Lieut.-Colonel Kenny,	Colonel Whitmore.
Mr. Lahmann,	

The motion was consequently negatived, and "twelve months" inserted.

Bill reported to the Council with amendments.

The Council adjourned at five minutes to five o'clock p.m.

## HOUSE OF REPRESENTATIVES.

*Saturday, 24th November, 1877.*

First Reading—Second Readings—Third Readings—Bills Discharged—Privilege—Railway Material—Waikato Harbour Bill—Gisborne Harbour Bill—Duration of Parliaments Bill—Crown Redress Bill No. 1.

Mr. SPEAKER took the chair at half-past two o'clock.

## PRAYERS.

## FIRST READING.

Foxton Harbour Bill.

## SECOND READINGS.

Roxburgh Reserve Bill, Southland Boys' and Girls' High School Bill, Mining Companies Bill, Taranaki Roads and Bridges Bill.

## THIRD READINGS.

Foxton Harbour Bill, Domicile Bill, Roxburgh Reserves Bill, Southland Boys' and Girls' High School Bill.

## BILLS DISCHARGED.

Public Recreation-Grounds Bill, Otago Harbour Board Bill.

## PRIVILEGE.

Mr. FOX.—Before the House proceeds with the business on the Paper, I rise to a question of privilege in reference to a matter to which I think it my duty to call the attention of the House. I am not going to raise any elaborate discussion upon the subject, or to propose any reference to a Select Committee, nor am I going to move that the perpetrator of a very gross breach of privilege shall be called to the bar of this House. At the same time, the subject is one which it would not be consistent with the dignity of the House to pass by without calling the attention of the House to it. The House will be able to judge for itself, and honorable members may, if they think proper, follow me with any motion which they may wish to make. What I wish to call attention to is the report of a speech delivered in the City of Auckland, before a large public meeting, by a gentleman who occupies the position of a member of this House. I allude to the honorable member for Auckland City West, Dr. Wallis. That honorable member returned to Auckland, on leave given by this House, and attended a public meeting there. I will simply read to the House a passage from the speech he delivered, and which contains the grossest, foulest, and falsest allegations which ever passed from the mouth of any person speaking of this august Assembly—the House of Representatives. The words speak for themselves. They need no comment from me. I shall not utter a word of comment upon them further than what I have said. I thought it right to bring the matter before the House, and the House can deal with it as it thinks proper. The speaker was referring to what was going on in the House, and he says,—

“But the cliques—the factions—the rings—who had held possession did not want the abuses cleansed out, so that they were moving earth

and Heaven—he begged pardon for using a theological expression (laughter and cheers), he should have said moving all the powers of earth and hell—to preserve the foulness of the Augean stable as it was.”

That is not the part of the speech I object to.

Mr. STOUT.—What is the honorable member reading from?

Mr. FOX.—From a report published in the Auckland *Herald* of a speech delivered by Dr. Wallis at a public meeting held there. Now I come to the part of the speech which I think honorable members have a right to complain of, and say whether or not they think it proper to punish the honorable member who used the words. He says,—

“There was another evil which the ‘unsettled equilibrium’ produced. This was, that it gave to the unprincipled, to the unscrupulous, to the political trimmers and traders, an opportunity to turn matters to their private advantage. One out of every four were political trimmers and rogues. An even balance of parties was the opportunity of these political trimmers and rogues—it was their sunshine, and he never heard of any of them refusing to make hay. (Laughter and cheers.) He had heard of only one who had turned his hay into cash; he could not depose to the fact before a Magistrate, but it was the common talk of the place, and there were many who believed it.”

Sir G. GREY.—The honorable gentleman points to me; does he mean that I am one of the four?

Mr. FOX.—I couple myself with the honorable member. We are all included. The statement is that one out of every four members of the House is a political trimmer and a rogue. The passage about making hay I take to mean that a member of this House has accepted a pecuniary bribe for his vote. He has not the courage to mention the member whom he characterizes as a political trimmer and a rogue.

Mr. STOUT.—I think it only fair to Dr. Wallis to point out—

Mr. SPEAKER.—Does the honorable member intend to move any motion?

Mr. STOUT.—If necessary, I shall move, That the House adjourn. The honorable member, in bringing forward a matter of privilege such as this, should not have taken the report published by one of the papers of the public meeting. I hold in my hand a copy of the Auckland *Evening Star*, which states that the journal from which the honorable gentleman has quoted has given utterance to false statements. The honorable member, before quoting from one journal, should have quoted also from the other paper. Here is the paragraph published in the *Star* newspaper:—

“Our contemporary likewise tries to get a back slap at Dr. Wallis, by applying specially to the House of Representatives his general remarks upon the proportion of trimmers and rogues in average representative Assemblies.”

I think it is very uncalled-for to quote from one journal—a party journal—without the honorable member having taken the trouble to com-

pare it with the other journal, and without having referred to this paper, which is also published in Auckland. I think it is a one-sided thing to do, and especially as the honorable member is absent. If the honorable member for Auckland City West had been here to defend himself, and to state what he did say at the public meeting, it would have been a different thing.

Mr. FOX.—I did not quote from any article in the paper whatever. I quoted from the *Herald's* shorthand writer's report of Dr. Wallis's speech.

Mr. STOUT.—I only point out that the *Star* states that the shorthand report is not correct in the paragraph I have read.

Mr. FOX.—It contradicts the leading article the *Herald* writes upon it.

Mr. STOUT.—It contradicts the report, by showing that the *Herald's* report applies to the House of Representatives the general remarks which Dr. Wallis made in regard to Legislative Assemblies. As this is a private members' day, I will not take up the time of the House, but would ask the honorable member to refer to the report of the *Star's* shorthand writer.

Mr. ROWE.—The honorable gentleman who quoted from the *Evening Star* says the *Herald* is a party paper, and I would ask, Is not the Auckland *Star* a party journal? Does the *Star* contradict one word stated by the *Herald*? Not one word. It does not try to do so. I should not like to use the strong language which one is tempted to use in reference to a member of this House—a very young member indeed, a man who has had very little to do with politics in New Zealand—who comes here, and does not dare to bring charges in the House itself against any member of it, but who, as soon as he is liberated and gets back to Auckland, traduces the members of the House at a public meeting. Is there one word of truth in what that honorable member says? Is there a man in this House who has ever taken money for his vote? That is what Dr. Wallis says. He says a member of the House has turned his vote into cash. Why, Sir, he would not dare to make such an accusation in this House. Some charges of this kind have been made during the session. Now, I am a very ordinary member of Parliament, yet I have been connected with New Zealand politics for nearly thirty years, and I say that a member who, having obtained leave to be absent from his duties, goes back to his home and maligns other members of the House as Dr. Wallis has done is not entitled to the slightest respect. Does the honorable and learned member for Dunedin City (Mr. Stout)—I give him credit for a great deal of sense sometimes—does he mean to say that this honorable member is entitled to the slightest respect? It is the duty of every member of this House to defend its character as far as he possibly can. "It is a dirty bird that fouls its own nest." The honorable member for Newton the other day found some fault with me because I went back to the Thames and said the members of this House were jolly good fellows—

Mr. SWANSON.—I never found fault with the honorable member for saying so.

*Mr. Stout*

Mr. ROWE.—Well, he said that I said so, and I did say so, and wherever I went, notwithstanding any differences of opinion I might have with other honorable members, I certainly would say that they represented the intelligence, the worth, and the honor of New Zealand, and any man who would for one moment attempt to defame the members of this House would find me opposed to him absolutely. There are faults, I dare say, of which we are all capable. No doubt we say some things even in this House which we are afterwards sorry for; but a man who will go out of the House and pander to the lowest passions and tastes of his constituents by defaming those who are connected with him is utterly unworthy of consideration, and I trust the contempt of the House will rest upon him as long as he lives.

Mr. STOUT.—I ask leave to withdraw my motion.

Mr. MANDERS.—Before leave is granted to withdraw the motion, I wish to say a few words. I think that in all matters of privilege that have been brought before this House the license of the Press has been very largely exercised in criticising the actions of honorable members, but very many remarks have proceeded from honorable members in regard to the remarks of other honorable members that have to some extent justified such criticisms, but not the grosser ones. I do not individualize where those remarks come from, but I say there has been some latitude given, and so great has been the advantage that has been taken of that latitude that the House has been obliged to take action in the matter. In proof of that I may mention the case of Whitaker v. Jones. There have been a number of insinuations and contemptible hints, which I will not notice, but which have no doubt emanated from sources that are impure, and coming from members of this House I think it is very wrong that it should have been so. I do not refer to accusations against myself specially, but I do refer to the honorable member for Dunedin City (Mr. Stout), and to honorable members who now occupy a more responsible position on the Treasury benches,—Mr. Macandrew, and his compeer, Mr. Larnach, who is not now present,—and to the honorable member for Auckland City East, who have given cause for these attacks. I say they have tried to induce the country at large to support them in their position through the medium of the Press.

Mr. MACANDREW.—No.

Mr. MANDERS.—Then I bow to that denial at once; but I say that the manner in which the criticisms of the Press have been exercised over members of this House has been a thing that has been talked about in the lobbies, and has had to be submitted to by what is called a tyrannical minority rather than touch pitch and be further defiled.

Mr. MACANDREW.—I should like to know what the honorable member means by mentioning my name in connection with the Press. I may say that I have had no communication whatever with the Press since I have been in Wellington.

Mr. ROLLESTON.—I think, Sir, the honorable member who brought this matter under the notice of the House did so with a view to elicit

some expression of opinion from honorable members in regard to it. It appears to me the principal point open to objection is that a member, during the session of Parliament, who has leave to absent himself upon urgent private business, should be addressing a public meeting and engaging in active politics during the time this Parliament is in the course of its deliberations. I think that is the principal point in which wrong has been done. It is entirely against that independence of feeling which members of Parliament ought to have in regard to their position in this House. It is wrong for members to go away with leave for the rest of the session, and attempt to inflame the passions of their constituents at public meetings against other members of the House, with a view to affecting its deliberations. I say that is the principal point in the present case, because it would otherwise be a more material point that the fact of a man slandering his fellow-members should, under ordinary circumstances, be taken up by the House; but we have ceased to regard that, and may pass it by, as the honorable member for the Thames (Mr. Rowe) says, with silent contempt. We have got into a position in this House of listening to slanders on public men that is altogether pitiable. I have sat in the House for ten years, and I say that for the last two or three years—and I say deliberately, but with regret, that it is principally under the guidance and example of the honorable gentleman who is now at the head of the Government—this House has got into the habit of throwing imputations on its public men which have led people outside to look upon the House as not regarding its own position with respect, and as careless of the character of its members. I hope we shall not pursue this matter further. I feel that no good can come from doing so; and I think the course we have got into inside this House for the last few years is mainly responsible for it. Time was when the honor and character of our public men were not aspersed in the House, but latterly we have had to sit here silent and hear ourselves aspersed, because we felt that no good would come through raising a question of privilege with regard to it. I am sick of questions of privilege. I am sorry to say I am careless of aspersions that may be brought by members of this House against myself or other members, because it is utterly useless to take notice of them.

Sir R. DOUGLAS.—I noticed on one occasion that an honorable member who spoke in this House used remarks which by twisting might be made to mean that certain members were bribed. Those remarks were characterized as foul and unwarranted: by what terms, then, should we characterize the remarks which have been made in this case? The question before us is, whether those remarks were absolutely made by Dr. Wallis or not; and I, Sir, by leave of the House, would like that you should communicate with that gentleman, and ask him whether he used the remarks or not. If they were used, I think this House should take some action, and point out to the honorable member that it would be wise for him that he should use the same cour-

tesy outside the House to other honorable members which he is bound to use inside. I will, if the opportunity offers, move, That Mr. Speaker be requested to communicate with Dr. Wallis, and ask him if he used the expressions imputed to him.

Mr. REYNOLDS.—I hope the honorable member will do nothing of the sort. We are simply making ourselves ridiculous in the eyes of the people throughout the colony. If a member makes a statement outside of the House which we know to be untrue we should take no notice of it. I will not say that we are all honest men—politically honest, I mean—but still I do say that Dr. Wallis had no foundation for the statement which is attributed to him in the *Herald*. However, I think the best thing we can do is to allow the matter to drop. If the motion of the honorable member for Marsden is adopted we shall only waste another day over the matter. We have already had before us one question of privilege which may cost the colony £3,000 or £4,000, and if we go on taking up cases like this we shall possibly put the colony to very heavy expense without securing any satisfactory result.

Captain MORRIS.—I trust the honorable member for Marsden will go on with his motion, because the House appears to take it for granted that Dr. Wallis has used these words. Now we have the assurance of an honorable member that the statements attributed to Dr. Wallis were contradicted in the *Auckland Star*. It would not be fair to decide upon any course of action until we know definitely whether Dr. Wallis made the statements complained of or not.

Mr. SHRIMSKI.—I am sorry the honorable member for Wanganui has brought this matter forward on a day which it was understood should be devoted exclusively to the transaction of the private business on the Paper. It comes with a very bad grace from the honorable member to throw impediments in the way of the transaction of that business, when it is considered that the House gave him a day specially for the discussion of the Local Option Bill. That Bill having been disposed of, he cares nothing for the business of other honorable members.

Captain RUSSELL.—I hope the honorable member for Marsden will not press the matter any further. It seems to me that these questions of privilege are becoming so frequent and so utterly absurd that we really do not know when our privileges are invaded and when they are not. I hold that the honorable member for Port Chalmers committed a breach of privilege just now. He openly charged us with being dishonest, and I was about to move that the words be taken down; but what good would have come out of that? I do not care twopence for such statements myself, and I feel sure that every other honorable member is conscious of his own rectitude.

Mr. REID.—I must say that I read the remarks of the honorable member for Auckland City West (Dr. Wallis) with very great regret. While that gentleman was in this House I had a very favourable opinion of him, although we were on different sides, because I believed that



he always acted conscientiously, and to the best of his judgment. I should be sorry to think that the honorable gentleman did make such a statement as that attributed to him. But there is one point that has occurred to me: I should like to know on which side these dishonest men are acting.

Hon. MEMBERS.—The Opposition.

Mr. REID.—If they are on the Opposition side he reduces their number to half dishonest men; and, if half of those who oppose the Government are dishonest men, how is it that these honest men consent to go away to their homes and leave the transaction of the public business to those who are not trustworthy? It was the duty of any honorable member who held such opinions to remain till the end of the session, in order to prevent this jobbery and corruption. Really a serious question arises now when a member leaves. I ask myself if he is one of the dishonest ones, and, if he is, his absence will be a gain; but if he is one of the honest ones I feel it to be a great pity that he should be allowed to leave.

Mr. W. WOOD.—If Dr. Wallis has used this language we should only be doing justice to ourselves by taking notice of it. But we should also be just to Dr. Wallis. We should first ascertain beyond doubt whether he really has used these words. I do not pay much attention to these newspaper statements myself, because we all know that the newspapers are used for party purposes. It must not be lost from view that another newspaper has given a flat contradiction to the statement read to the House. It is very likely that Dr. Wallis used the words in a totally different sense from that imputed to him. I do not think the honorable member for Marsden will do wrong in persisting in his motion, because it will give to Dr. Wallis an opportunity of explaining the language used.

Sir G. GREY.—I can quite imagine that some honorable gentlemen should evince no surprise at expressions of this kind being attributed to Dr. Wallis, when we consider the manner in which that honorable gentleman dealt with the Local Option Bill. We can hardly suppose that a gentleman who showed such distaste to that measure would receive much consideration from the honorable member for Wanganui. But we do not yet know what the exact circumstances are, and we therefore cannot speak with any degree of certainty in regard to the matter. I wish, however, to make a few remarks upon the observations of the honorable member for Avon. I must say that I cannot at all agree with the doctrine the honorable gentleman laid down, that members of Parliament are, during the sitting of this House, disqualified from attending public meetings. It is within my own knowledge that members of Parliament in England have addressed public meetings while Parliament was sitting. Leading men in that Legislature have stood on platforms side by side with me, discussing questions of the most important character, whilst Parliament was sitting. It is also within my knowledge that, during the Corn Law agitation, and while Parliament was sitting, members

of Parliament denounced in the strongest language the action of those members of the Legislature who upheld the Corn Laws. I also recollect that exactly the same thing happened in reference to the Catholic Emancipation question. If an attempt is made to pass a measure opposed to the wishes of the people, the members of the House have a perfect right to go outside to the people, without reference to the question being under discussion in the House, and do everything they can to rouse public feeling throughout the country in order to advance the public good: they have not only the right, but it is their duty to take that course. I shall always maintain that privilege for myself and for all other members. It would be a dangerous doctrine, indeed, to say that because certain gentlemen here are in a minority they are to be coerced by the majority when outside the House, and to be so coerced that they dare not go outside this House to endeavour to get a majority returned in order to put an end to a system to which they object.

Mr. ROILESTON.—Perhaps the honorable gentleman will allow me to explain that the point I raised was, whether members who obtained leave to absent themselves from this Parliament were justified in taking part in public meetings, and abusing the men they left behind to conduct the business of the country.

Sir G. GREY.—I say undoubtedly they have the right. It would be tyranny of the grossest kind to say that a minority of this House were to be kept down by the majority, and to be prevented from advocating the principles which they deemed to be necessary for the public welfare. I say, again, that it would be gross tyranny to hold that they should be so coerced that they dare not go outside and address the people, the source of all power, in the endeavour to pass measures for the general good. Under such a system, there would have been no Reform Bill in England; under such a system, Catholic emancipation would not have taken place for a century; under such a system, none of the great reforms that have taken place in my lifetime would have been possible. It would be tyranny of the grossest kind, if we were to be subjected to such control—a tyranny subversive of every public liberty and every public right. I cannot give way to such a doctrine. Then, comments have been made upon statements made by me in this House in reference to certain honorable members. I made no statement of the kind complained of in the case of Dr. Wallis. I complained of specific acts which were opposed to the public good, and I moved for the appointment of Committees to investigate those acts and determine upon the circumstances. In some cases, Committees were appointed, and I proved the facts of which I complained, and my principal coadjutor in taking those steps was the honorable member for Avon himself. No one gave me so much encouragement in the course I pursued, and he knows perfectly well in his heart that I was right in the complaints I made. I complained of specific acts, which every member of this House knows, and in regard to which every member believes that I was right.

*Mr. Reid*

Sir R. DOUGLAS.—No.

Sir G. GREY.—I believe every member admits that I was right in bringing forward the case of the Ohinemuri miners' rights, one of the worst cases of injustice that ever took place; I am confident every member knows that in bringing forward the Waikato-Piako Swamp case I did my duty; and every member knows that I was perfectly justified in bringing before the House the circumstances connected with the sale of 10,000 acres of coal field in the Waikato. I contend that in every complaint I have made to the House I have verified the facts as a whole. I have not said that one-fourth of the members of the House, or any section of it, are corrupt; but I have said that wrong acts were done, with the concurrence of the Government of the day. I have said that the Government ought not to have done such things; and I am prepared to prove every word that I have uttered in this House. I stand here, in the presence of my country, to defend every statement that I have uttered, and to show that they are capable of actual demonstration; and no member of this House was so strong in the support he gave me, no member was so strong in his expressions of dislike to what had been done, as was the honorable member for Avon, who has just made these remarks to the House. The honorable gentleman knows that what I say is true. I am extremely sorry that the honorable gentleman should have uttered the aspersions against me that he has, for I am sure I do not merit them.

Major ATKINSON.—Sir, ever since the honorable gentleman has been in the House he has been making charges against the late Government, but he has not substantiated one of them. Now that the honorable gentleman has possession of all the Government papers, I challenge him to show that the late Government have been corrupt in a single instance. I challenge him to prove his assertions in connection with the sale of the Piako Swamp, and I challenge him to prove that the honorable member for Waikato wrongly obtained that land, as he was so grossly accused of having done by the honorable member for Rangitikei and the Premier. I ask, where is the report of the Committee on the subject? I do not know whether that report has been laid on the table or not, and therefore I cannot speak so freely as I would otherwise do in regard to the matter. But I will say that that report completely exonerates my honorable friend the member for Waikato, and shows that his proceedings were right, and that the Government have done him wrong and owe him compensation in consequence. The honorable gentleman, I say, has never had the manliness, when he has been shown to be wrong, to get up and confess his error. The difference between the honorable member for Avon and the Premier is this: The honorable member for Avon found fault with the actions of the late Government, but he looked upon them as errors of judgment, and as errors which honest men could commit; but the Premier always asserts that the actions of the late Government were corrupt, and that their object was to take certain things from certain people for

the purpose of giving them to their particular friends. That is the difference between the Premier and the honorable member for Avon. Hardly a day passes on which the Premier does not make some statement to the effect that the late Government were corrupt. Only the other day he stated that my only motive in taking the lead of a party composed of half the members of the House, and in taking the political action which I have taken in this House, was to draw my monthly salary. Could anything be more contemptible than that? There are some honorable gentlemen who think nothing of the motives which should govern their public men,—

Sir G. GREY.—I did not use the words "the only motive."

Major ATKINSON.—I do not think that makes the case much better. At any rate, he put that forward as my prominent motive. He said, substantially, that it was for the loaves and fishes we were striving. I say that to the honorable gentleman at the head of the Government is due the demoralized state into which this House has got. This sort of thing was entirely unknown in the House until the advent of the honorable gentleman. Before the advent of the honorable gentleman we took it for granted that the action of our public men sprang from right principle, and we attacked each other on questions of judgment, and not on private matters. I only hope that, now the honorable gentleman has got the full run of the Government papers, he will let us have the history of this coal field, and also that of the coal field which he himself sold, absolutely illegally, shortly before he went Home.

Hon. MEMBERS.—Wait a little.

Major ATKINSON.—Sir, I have waited. The honorable gentleman told us when he took office that within a very few days he would be able to produce evidence of the wickedness of the late Government. What evidence has he brought forward? The present Colonial Treasurer has accepted my estimates—he has accepted the whole of my figures; and he has not shown that one single figure of mine was wrong. I hope the honorable gentleman will descend from generalities to particular instances. He has seldom done so yet, and when he has done so he has entirely failed. I should not have risen now had not the honorable gentleman at the head of the Government been so inaccurate in his statements. With regard to the particular question before the House, I can only say that I think it would be well to let the matter drop. We shall not do any good by discussing the question of the "tone" which is now so prevalent in this House. If it is the belief of the honorable gentlemen opposite that we on this side of the House are only guided by these corrupt motives, that our only object in seeking to enter into political life and obtain seats on the Government benches is to promote our own private interests, I say we may very well pass over the statements which have been made in Auckland by the honorable member for Auckland City East—we may take it for granted that, so long as we continue the present style, statements like those will be made by gentlemen when they address their constituents. I agree

with a good deal which the Premier has said with regard to the right of members to address their constituents during the session of Parliament. I think they have that right; but I think also that, if any honorable gentleman desires to leave this House for that purpose, he should inform the House of it. It appears to me to be something like false pretences for an honorable gentleman to ask us to grant him leave of absence on the ground that he may attend to his private affairs, while in reality he is going on a political campaign. The theory is that honorable gentlemen should be in their places every day, and, before we allow them to absent themselves from their places, we have a right to know the object they have in wishing to get away. If an honorable member tells us that he wishes to get away on private business, it appears to me that he has no right to start on a political campaign. If he intends to do that, he should inform the House of it, and we should then know whether it would be for the public interest to allow him to go away or to call upon him to remain in the House. I hope that, under all the circumstances, the honorable member for Marsden will see fit to withdraw his motion, for I doubt whether any good would result from passing it.

Mr. DE LAUTOUR.—I hope that, before the motion for the adjournment is withdrawn, it will be clearly understood that the motion of the honorable member for Marsden will also be withdrawn. An analogous case to this occurred in 1875. In that year the honorable member for Timaru addressed the electors of the Hutt while Parliament was sitting. That honorable gentleman was then representing a majority of the House, as the honorable member for Auckland City West is now doing. With regard to what fell from the honorable member for Avon, any one who has looked into the records of our past Parliamentary history must have observed that statesmen in this House who have not succeeded in reaching those offices to which they think they are entitled, and in which they could do good service to the colony, always talk of the demoralization of this House. I think we should not admit the demoralization of this House. That cry was raised in 1868. The papers published in that year frequently contained reports of similar criticism to that which has been published in the *New Zealand Times*. The present honorable member for Wanganui was then the leader of the Opposition, and the honorable member for Timaru was the leader of the Government. The Estimates were being considered, and the gentleman who is now Agent-General and Mr. D. F. Main were left to obstruct the passing of the Estimates during the night. They did so, and next morning before the House broke up the honorable member for Wanganui came down to the House and approved of what had taken place during the night. The papers condemned that action as demoralizing the House. That was the night on which the celebrated maxim *tu quoque* was first placed on the records of the House. History has proved conclusively to us that men who are leaders in this House, and who have the power but not the responsibility of guiding the

councils of the country, have always talked towards the end of the session of the demoralized state of the House. I hope that before the motion for the adjournment of the House is withdrawn we shall have a clear understanding that the motion also is to be withdrawn.

Mr. FOX.—I do not wish to prolong this debate. I intimated that I did not intend to follow up this matter, nor do I intend to go back to the time of Adam to discover precedents why this should be treated as a question of privilege. I simply call attention to the improper and ungentlemanly conduct of a member of this House in casting such foul aspersions upon his brother-members. The reference that has been made to what the honorable member for Timaru did in 1875 is altogether wide of the mark. In this instance an honorable member gets leave of absence on urgent private business, and we find that he goes away to conduct a political campaign in another part of the colony. That is what the honorable member for Avon complains of. The honorable member for Dunedin City says there is a doubt as to the exact words used, and quotes the report of the *Star*. But I did not refer to the leading article of the *Herald*; I took the words given by the shorthand writer in his very full report of what took place; but since I have been in the House I have referred to the report of the *Star*, and I observe there is an attempt, whether by Dr. Wallis or by the reporter I do not know, to give a general application to the words. It is made to appear as if the speaker was showing generally that in all Assemblies of this kind there must be some rogues. But there are many other sentences besides that which I have quoted which go to show that the whole subject of the speech was this House, and indicate distinctly that these things of which he complains have come within his own personal knowledge when he was down here. No doubt the report of the *Star* is very mild, but still no one can read it without seeing that the remarks he makes are intended to be applied to this House. He does not refer to the American Congress, or the Australian Legislatures, but he does directly refer to this House of Representatives. He may be guilty of subterfuge, just as he has been guilty of other improprieties in this matter; but I think his conduct will not be forgotten by members in this House.

Mr. BALLANCE.—The honorable member for Egmont has made a reference to myself, and he has told the House that I made a distinct charge of corruption against the honorable member for Waikato. Now, the honorable gentleman must either have forgotten what I said upon the occasion referred to and has not read *Hansard*, or he has made assertions at random. When I spoke of the honorable member for Waikato I referred to certain specific transactions based upon the best information. I did not accuse the honorable member for Waikato of corruption, but I made a specific complaint, which was this: that it was contrary to public policy and highly reprehensible that a member of the Government, while he continued a member, should acquire a large block of land under the circumstances under which the honorable member

Major Atkinson

for Waikato did acquire it. I will read from *Hanard* an extract of the report of the speech I made upon that occasion, and I may say that I think every word I said has been borne out by the evidence given before the Committee who inquired into the transaction. There was no charge of corruption, and, in saying there was, the honorable member for Egmont has entirely misstated the case. It was a question of public policy, whether a Minister of the Crown should acquire Native land, and acquire it while the Government themselves were in negotiation for its acquisition on behalf of the colony. The words I used on that occasion were these:—

“But, Sir, since October last, the honorable member for the Waikato has acquired, also out of land which has been purchased by the Government, no less than 18,000 acres out of a block of 200,000 acres, at 5s. per acre, while I believe the best testimony exists that the land is worth £1 an acre. I believe, also, that testimony has already been given before a Committee of the House that the land purchased is the only good land in the whole 200,000-acre block; and yet the Land Purchase Agent, who purchased upon commission at 4d. per acre, actually claims £3,000 upon the purchase of the whole block. So that the honorable member for the Waikato—on the ground, I believe, that he was entitled to some exchange of land, which the other House declined to give him—went in, while holding office, and acquired these 18,000 acres of land out of a block of 200,000 acres for which £17,000 of public money has been paid. Now, here is a fact. Even although the honorable member may put forward a claim that he was entitled to some kind of an exchange, I say that he had no right, as a Minister of the Crown, to step in and acquire the public estate in such a manner. The honorable gentleman should have brought his claim to this House, and should have maintained it here, as he attempted to do two years ago; and then the House would have been able to judge how far the honorable gentleman was entitled to compensation. Instead of that, here are 18,000 acres of land, of the very best quality, which leave the possession of the colony and the hands of the Government, and become no longer available for settlement, but, following the Piako Swamp, pass into the hands of one or two private individuals.”

Those are the facts.

Hon. MEMBERS.—No.

Mr. BALLANCE.—Those are the actual facts of the case. The statement of the honorable member for Egmont is incorrect when he says that I brought a charge of corruption against the honorable member for Waikato. I did not do so; and I alluded to the transaction simply on grounds of public policy, upon which grounds I thought it was improper for a Minister of the Crown to be dabbling in land transactions, more especially as the Government were themselves at the time negotiating for the land on behalf of the colony. Why, Sir, there is a Parliamentary Paper now before the House which shows that on this 200,000 acres of land the Government have absolutely paid £17,000, and that the land

has been acquired by the Government. That is a fact; the paper is before the House. The honorable member for Egmont talks about the general tone of the House, but I would like to know whether he conceives it is raising the tone of the House to treat the Premier in the manner in which he has been in the habit of treating him—whether it is raising the tone of the House to make the personal attacks he is in the habit of making, or to endeavour to bring up the whole of the Premier's past career and history for the purpose of showing that he is unworthy of the confidence of this House. If he indulges in that kind of warfare, if he violates the rules which should prevail in this Assembly, he can only expect that other honorable members will do the same, seeing the high position that he occupies in this House. Then there is the honorable gentleman's late colleague, the late Minister for Public Works. That honorable gentleman the other night, without the slightest provocation in the world, made a most gross and insulting attack upon the Premier. The honorable member for Egmont has stated that not one of his figures can be shown to be incorrect.

Mr. SPEAKER.—I hope the honorable gentleman will keep to the point as much as possible.

Mr. BALLANCE.—I will, Sir; but the honorable gentleman alluded specially to myself, and I wish to show that he was not only incorrect here, but also in reference to his figures. The tables attached to the honorable gentleman's Financial Statement were the most important feature of his Statement, and if we turn to Table Y we shall find it to be grossly inaccurate. For instance, we find that the export of wool from the Colony of New South Wales for the year 1871 is set down at £4,748,160; in the following year, there being no reduction in the price of wool in the meantime, it fell to £3,342,900; in the following year to £2,201,910—

Mr. GIBBS.—I should like to know if the honorable gentleman is in order in introducing such matters.

Mr. SPEAKER.—I must say the honorable member is getting wide of the question: still the honorable member for Egmont opened up these matters, and I do not see how I can narrow the discussion. However, I hope the honorable member will refer to these outside matters as briefly as possible.

Mr. BALLANCE.—I was saying that in 1873 the export of wool from New South Wales fell to £2,201,910, while in 1874 it suddenly rises to £5,010,125. The honorable gentleman's figures are quite misleading, because he takes no account of the wool sent overland from New South Wales to Melbourne for export in the first three years mentioned, while he does in the last. Table Y, therefore, is altogether wrong, showing that he has not mastered the tables upon which his Financial Statement was based. I think I have shown that I made no such charge as the honorable member for Egmont has attributed to me. I much regret the course taken by the honorable member for Avon, because he was one of those who sympathized with me in the action I took respecting the Murimotu Block. I believe there

has been much maladministration; but I did not make any charge of corruption. But, while I say that, I still think that a great deal of good has been effected by the action taken by the honorable member for the Thames with reference to the land transactions of the late Government.

Major ATKINSON.—I should only like to say that I quite understood the honorable gentleman to have accused my honorable friend the member for Waikato of using his position as a Minister of the Crown to rob the Natives of their land. That seemed to be the accusation made. I can see that the language used can bear the interpretation the honorable gentleman puts upon it. I felt, and the honorable member for Waikato felt, that he had been charged with having wrongly used his office in order to obtain this land. As I have already spoken, I shall take another opportunity of showing that the statements which the honorable gentleman has made are entirely wrong, and that my statement is completely borne out.

Mr. REES.—A good deal has been said about charges made in this House. All I can say is that, personally, I am prepared to prove everything I said. I am prepared to prove any charge I made in regard to the Piako Swamp transaction. Why, the Journals of the House in 1875 declare that the Ministry entered into an illegal contract with the honorable member for Waikato, and the Disqualification Committee said the honorable member was not disqualified because the contract between himself and the Government was illegal. The honorable members opposite are so fond of casting out challenges that they must expect that they will be taken up. They have made charges for which they might have been prosecuted criminally—charges for which they might have been punished, if Mr. Russell had proceeded against them criminally instead of civilly. If the honorable member for Egmont will recollect for one moment the position he occupied, he will see that the jury found the fact, and gave damages, and the honorable gentleman should therefore not push the matter too far. It does not do to make threats in this House, but I am perfectly prepared, if the honorable gentleman, or any other honorable gentleman, desires it, to test that question. I will give him a fair opportunity of testing the matter in any way he, together with his colleagues, thinks desirable, so as to put it before the country whether the charges were founded or not founded.

Major ATKINSON.—To what charges does the honorable gentleman refer?

Mr. REES.—I refer to the charge of the illegal disposition of the public land in relation to the Piako Swamp, and the charge of libel tried in the Supreme Court.

Major ATKINSON.—Is the honorable member prepared to prosecute criminally in regard to the Piako Swamp?

Mr. REES.—Certainly I am.

Major ATKINSON.—Well, I challenge him to do so.

Mr. REES.—I will do so. Will the honorable member challenge me with regard to the libel?

Major ATKINSON.—No.

*Mr. Ballance*

Mr. REES.—The late Minister of the Crown speaks of the demoralization of this House and declines to challenge a criminal prosecution for libel.

Mr. SPEAKER.—I hope the honorable member will have some regard to the question which is now under consideration.

Mr. REES.—I was only replying to the statements made in this House. When taunts are thrown out by one side of the House it can hardly be expected that they will not be taken up. In relation to the matter immediately before the House, I regret that the honorable member for Auckland City West should have made the statement contained in the newspaper—that is, supposing he did make them. I regret that as much as anybody. I think the terms used are utterly indefensible, and they should not be used by any person inside this House or outside of it. We have had really very strong statements made in this House. I allude to the celebrated speech made by the honorable member for Clive. If that had been made outside this House, I should like to know in what position the honorable member would have been at this time, supposing the person against whom the statements were made had chosen to take the matter up. Any person could see that the statements were absolutely indefensible, no matter what proceedings were taken in relation to them. When statements of that kind are made even in this House, it is a useless expenditure of force to proceed against any person for strong expressions used outside the House. I am sure that the statements contained in the leading articles published daily are worse even than the statements alleged to have been made by the honorable member for Auckland City West (Dr. Wallis). If, however, the honorable gentleman did make those statements he did that which was *not* warranted or right in the slightest degree. I hardly think that the honorable member could have used that language, although it is given in the report. If he did use it, it was utterly indefensible. I would say the same thing, no matter who used it. If I had used it myself I would say the same thing. Statements have been made against the honorable member for the Thames, and he has asked time after time for an inquiry into those charges. The Journals show the statements that have been made. A Committee sat in this House before I became a member of it, of which the honorable member for Avon was Chairman, and they reported distinctly that the Piako Swamp had been dealt with absolutely against the law. There can be no doubt about it that, if Ministers of the Crown went outside the law to obtain a large quantity of land as against private citizens, they did that which was illegal and wrong. I shall say no more on the subject, and I hope that the motion for adjournment will be dropped.

Mr. SWANSON.—I hope the House will drop this unpleasant matter, and allow us to proceed with the business of private members. Something has been said against members obtaining leave to go home to attend to their private business and then speaking at public meetings. I received a

telegram that my family were ill, and I was almost going back to Auckland. If I had done so and been present at a public meeting, I should not have considered it wrong to address the electors, if called upon to do so. I hope it will not be understood that a member cannot speak publicly during the session. It is possible, though not proved, that the honorable member for Auckland City West has done a very foolish and wrong thing. But there is this to be said in favour of Dr. Wallis: He is a new member, and may have believed what he heard us say of each other. If any person happened to be in the gallery of the House this afternoon and heard this debate, and if he believed what members on both sides of the House have said of one another, would he not have come to the conclusion that Dr. Wallis had exactly stated what was true? I hope this matter will be allowed to drop, so that we may get on with the business.

Mr. STOUT.—I may say that I regret that I was not allowed to withdraw my motion about an hour ago, when I requested the House to permit me to do so. Seeing that on this motion a great deal of latitude has been given, I think I am entitled to make one or two observations with reference to what has fallen from various honorable members. I do not agree with some honorable members that the language used in this House has been worse than that used in previous sessions. If any one reads *Hansard* in the past he will find that an honorable member was called "a burglar" by another—that one honorable member was called "a poisoner" by another. All these things have been said in this House. I say that stronger language was used in this House two or three sessions ago than that used now. I believe a change has come about mainly from this cause: that of late new members have come into this House who are able to retaliate upon some of the older members of the House in their own style, and they are getting sick of it. I believe that is the sole reason for the change. I may state that I think the honorable member for Egmont has unfairly treated the honorable member for Rangitikei. I hold in my hand the return which he was bold enough to say did not exist, and to which the honorable member for Rangitikei referred, and I find in that return the Waitoa and Piako Blocks as having been purchased, 200,000 acres, the Government paying about £17,000.

Major ATKINSON.—Subject to Native reserves. It is perfectly true that it was purchased, but it was subject to Native reserves.

Mr. STOUT.—The honorable member is wrong in that also. The Proclamation which was issued under the Immigration and Public Works Act was allowed to lapse in order to allow Mr. Whitaker to arrange privately with the Natives. The reason given by the Native Land Purchase Commissioner before the Committee was this: He was asked, "Why was this allowed to lapse when you were negotiating for the land?"—Because the Government told me this land was to go to Mr. Whitaker." Then there is another question, to which he replies, "At that time the Government would have acquired the whole, and

given Mr. Whitaker the piece in exchange; but when the Bill was thrown out by the Legislative Council, Dr. Pollen said, 'You can exclude that from your purchase.' " Yet the honorable member says that these 200,000 acres were not under purchase. It was all under Proclamation, and, if the Government had chosen, it could have acquired the whole of the land, and Mr. Whitaker need not have got an acre of it. He might have been allowed, as other persons in the colony have been compelled to do, to substantiate his claims in a Court of law. Why should the Proclamation have been allowed to lapse in order to permit him to get this land? Then, referring to the Piako Swamp, I say that there is not a man in this House, even though he have no legal training, who would not say that the Order in Council issued in reference to that land was totally illegal and improper. I do not impute motives, but I will tell the House how this happened. A private arrangement is made with the purchasers of the swamp which the law did not sanction, and a Committee of this House reports on the transaction, and points out that it is illegal. What do the Government do? Two or three days before the Parliament met in 1876—the report having been made in 1875—the Government issue a Proclamation—an illegal and improper Proclamation—and allow Messrs. Whitaker and Russell to pay over the purchase-money and come under the Proclamation, thereby preventing any other person purchasing. Was not that improper? It was not only against the law, but it was most improper. And then the honorable member has the assurance to say that no charge can be brought against his Government in relation to the matter. I say there never was any Government in any country that had any public opinion whatever that would venture to do what was done in regard to the Piako Swamp. I should like him to name any country in which the Government would venture to sell land illegally to a private individual after a Committee of Parliament had said it was illegal. In order to validate their own illegal bargain they issue an Order in Council two or three days before Parliament meets, and receive the money on the same day that the Order in Council is issued, so as to prevent Parliament dealing with the matter. And yet the honorable member says these charges are all moonshine. I will make these very charges at the first public meeting I address, and if he thinks I am wrong let him say so, and sue me for damages. I will test the question with the honorable gentleman in any Court of law. There is foundation for these charges, and they are made by those who do not alter *Hansard* proofs in order to prevent their appearing. Who are they that alter those proofs? The country knows who they are. I regret that so much of a private members' day has been taken up in this discussion, but when the honorable member who brought the matter forward read a report from one newspaper I thought it only right to read what was said of that report by another paper. There the discussion might have ended; but no doubt the House is much indebted to the honorable member for Wakatipu

for getting up a debate in defence of the purity of the House.

Motion for the adjournment of the House negatived.

Major ATKINSON.—I am going to move that the House do adjourn, in order to put myself in a position to answer the statements made by the honorable member for Dunedin City, who has just sat down. I am very sorry to have to take up the time of the House, but I shall be as brief as possible. I shall introduce no new matter, but will merely refer to the statements made by the honorable member for Dunedin City, the honorable member at the head of the Government, and the honorable member for Rangitikei. It would be unreasonable and unseemly in me to sit still and hear the Premier say that all the charges he has made had been substantiated, and that every member of this House applauded him for the action he had taken. That is my excuse for again referring to a matter which has raised the ire of the honorable member for Dunedin City. I shall now put a few facts on record, in order that the public may be able to judge between those facts and the facts referred to by the honorable gentleman in the debate which has just closed. The history of the Piako Swamp case, shortly stated, is this: There was a very large swamp, which it was quite impossible for private individuals to drain on a small scale. This swamp had been open for sale for some years at a reasonable rate, 5s. an acre, and was ultimately withdrawn from sale. Subsequently some large capitalists in Auckland proposed to buy it, and the proposal was considered by the Government of the day. I was not then in the Government, and did not join it for a few years after. The Government came to the conclusion that it was desirable to accept the offer and dispose of the swamp in order to get a road through it, as it was a harbour of refuge for the rebel Natives. Arrangements were entered into with these capitalists to purchase it; and so far that was an illegal transaction. It was illegal to this extent: that, although the Government had full authority under the New Zealand Settlements Act to sell the land, it was necessary before they sold it to issue an Order in Council; but they entered into the arrangement to sell before issuing the Order in Council. They entered into an agreement with these capitalists: but I need not trouble the House by referring further to that, as it is upon the public records. The transaction was not completed very speedily. It gradually dragged on, but the persons who had entered into the bargain took possession of the land, and expended large sums of money in draining it. They then applied to the Government for a title, and the Order in Council to which the honorable gentleman has referred was issued just before the meeting of Parliament last year. Immediately after that, although these gentlemen had been in possession for some years, and had expended many thousands of pounds upon the land, the honorable member for the Thames took the matter up when the House met, believing that the public had suffered a great wrong through the Government not offering the swamp for sale publicly, instead of selling it privately. Some very warm

*Mr. Stout*

discussions upon the subject followed, and a motion was tabled proposing that the Government should not issue the Crown grant under the Order in Council. If my memory serves me aright, that motion, Sir, was carried by your casting vote. The Government of the day considered their position, and said that, if it was the opinion of the House that they had committed an indiscretion in the matter, they would take that expression of opinion as a vote of censure and resign. It was evident that the transaction must be completed, or that they should retire from office. The House, having considered the matter, appointed a Committee to inquire into it. That Committee, having carefully inquired into all the facts of the case, recommended that the Crown grant should be issued; and the House, by a large majority, approved of the course that had been followed by the Government of the day. That is the history of that transaction. In no way was it illegal, except through the non-issue of the Order in Council, which the Government were quite competent to issue, which this House had authorized them to issue, and which they could have issued at any time. So far it was quite correct to say that it was an illegal transaction, but it was not illegal in the sense imputed to the Government. I know there are certain gentlemen who still believe that the transaction was an unwise one, and there are some who go further than that, and say that it was a corrupt one; but the majority of the House decided that the transaction was a proper and wise one. Having joined the Government two years after the transaction had been entered into, I went very carefully into the matter and considered how far I should be justified in taking the responsibility upon myself. Having considered the matter very carefully, I satisfied myself that it was an exceedingly wise transaction, and therefore I have taken upon myself ever since the duty of defending the position. In my opinion the transaction was a wise one. I hold that the full price was obtained for the land, and that its sale was a great boon to the district. Now I will give the history of the other transaction, that of the Waitoa Block. In 1839 large purchases of land were made upon Piako, the claim in respect to which is known in the Native Land Court as "Webster's claim." The Court decided that the land was properly purchased; and the Crown grants were issued. Subsequently Mr. Whitaker bought claims representing about 12,000 acres of the land. The grants were, by after-legislation, ordered to be called in and cancelled, and new grants were ordered to be issued in their place. Mr. Bell, now Sir Francis Dillon Bell, who was the Land Claims Commissioner in those days, determined that those 12,000 acres belonged absolutely to Mr. Whitaker, and that when the land had been surveyed the Crown grant ought to be issued. Upon this land there has for many years been a Native settlement; and a Native named Tarapipipi, the chief of a very large tribe, was so strong that he successfully resisted the survey of the land. It was only for the good of the country that Mr. Whitaker refrained from surveying the land, because, as a matter of fact,

he had a legal right to do so whenever he chose, and to then demand a Crown grant. Mr. Whitaker, knowing that the Natives were very desirous to retain possession of the land, was very anxious to get some other land in exchange for it. He did not wish to disturb the Natives, because he knew that if they were disturbed they would have gone in a body to the King country. Therefore, for twenty-five years he was content, in the interests of the country, to remain out of the land in order to preserve peace. Some three years ago he went to the Government, and said, "I have lost a great deal of money over this transaction, and I think it is time the thing should be settled. Are you prepared to give me other land in exchange for this?" I may here say that the Commissioner has full power to exchange Crown lands within the province for any lands which were awarded by the Native Land Court to any particular person; but there was this difficulty: There was then no land in Auckland available for exchange, because the land which had been purchased there had been bought under the Immigration and Public Works Act, and it was provided in that Act that no land so bought should be exchanged. The Government of the day—before I joined the Government—represented by Dr. Pollen, agreed to exchange this land for Mr. Whitaker if the Assembly would authorize the transaction, he agreeing to take acre for acre in the Waitoa Block. The question came before the Legislative Council, and, as honorable gentlemen will see by a reference to the debate which took place on the occasion, the opinion expressed there was that the exchange was reasonable and right; but they were under the impression that it should be effected without an Act, and that the Government could effect it without an Act. But there was no power to do it without a special Act, for the Immigration and Public Works Act precluded the possibility of doing so. The Waitoa Block consisted of 200,000 acres of land, and the Native, Tarapipipi, made certain reserves in it for his own use. A Proclamation had been made under the Immigration and Public Works Act precluding all private dealings with the land, although, before the issue of the Proclamation, arrangements had been made by Mr. Whitaker with the Government for the exchange of the land. The Proclamation was, however, issued, and there was no longer any power for any private person to deal with the land. That Proclamation never was cancelled; it expired by effluxion of time, and could not be renewed, because there was no power to renew it. After the expiry of the Proclamation Mr. Whitaker renewed his negotiations with the Government and with the Natives. He made certain proposals to the Government in connection with the exchange of the land, but the proposals did not appear to me, who then held the position of Land Claims Commissioner, to be such that I could assent to them. There were legal difficulties in the way; but otherwise I thought his proposals were just and fair. I intimated my opinion, and Mr. Whitaker thereupon withdrew his proposals, and agreed with Tarapipipi that he would survey the 12,000

acres of land, and get a Crown grant for it issued in the name of Tarapipipi. That is the position of affairs now. Tarapipipi was to get the Crown grant for that land, and he was to give Mr. Whitaker 12,000 acres in the Waitoa Block. That is the whole history of the case from beginning to end. The transaction was a fair and right one. Mr. Whitaker has not, as a Minister of the Crown, acquired any land which could properly be applied to any other purpose, because, in exchange for the 12,000 acres which he has acquired in the Waitoa Block, he has given the Natives the 12,000 acres which he originally owned. He consented to take the Waitoa land in exchange for his own, because he desired to consult the interests of the public by doing what he could to preserve peace with the Natives. I am thoroughly acquainted with all the circumstances of the case, and I can say that Mr. Whitaker could, at the present moment, if he chose, go to Tarapipipi and say, "Clear off this land; it is mine." He could even now force the Natives to quit the land. I understand that a Select Committee has carefully inquired into the matter, and reported that the proposed exchange was judicious, and ought to be made. The Committee has further reported that Mr. Whitaker has a claim upon the Government in consequence of the Government not having carried out their agreement with him, and the Committee has further expressed the opinion that it is the duty of the Government to pay him the amount he has lost. I shall not enter into the question whether that is right or not. I merely wish to put on record the fact that in my opinion the two transactions to which I have referred were completed in the interests of the colony. To put myself in order I move, That this House do now adjourn.

Mr. STOUT.—I second the motion. I wish to say that the honorable gentleman is incorrect in many of the statements he has made. The honorable gentleman has stated that it was unnecessary to issue an Order in Council before the sale of the Piako land could be completed. That is incorrect. In 1871 that land was practically withdrawn from sale by private contract, because regulations which were then framed provided that all land should be sold by auction after they had been surveyed. Therefore it was illegal to make any bargain in regard to it. The report of the Committee says,—

"That the land was practically withdrawn from sale by private contract, by the regulations of 1871, which provide that all sales should be by auction after survey. And that the transaction was not in accordance with the provisions of the law in force at the time, which clearly required that the making and publication should precede sale."

The next incorrect statement that he made was that last year a Committee investigated the matter, and recommended the issue of the Crown grant.

Major ATKINSON.—That was a mistake. I should have said that the House, by a large majority, approved of the transaction.

Mr. STOUT.—The resolution passed by the House was, "That this House will not interfere



to prevent the issue in the ordinary course of the Crown grant for the Piako Swamp." I say that the House did not recommend the issue of the Crown grant; it merely said that it would not interfere to prevent the issue; which is a very different thing. Therefore the honorable member was incorrect in his reference to that. Now, with reference to the Waitoa land claims, I am not going to say that that land was claimed wrongfully, because I do not know, and do not pretend to know, so much. But what I say is this: that, immediately after the Legislature refused to pass the Act authorizing the exchange, Dr. Pollen, a member of the Ministry, went to the Land Purchase Commissioner and told him to allow Mr. Whitaker to have the land. It is no defence to say that the Assembly wished Mr. Whitaker to get it, because the House never expressed any opinion on the subject—the Bill was thrown out. Therefore we come to this: that the Legislature refused to sanction the exchange, but that the Government did sanction it after the refusal on the part of the Legislature. It is all nonsense to talk about the Proclamation having lapsed, because the evidence of Mr. Mackay shows that, two or three years before the Proclamation lapsed, he was told to let this piece of land go to Mr. Whitaker. It is a mere quibble to say that the Proclamation had lapsed. The honorable member for Rangitikei was quite warranted in saying that it was a most improper thing for the Governor to do—to go behind the Legislature and make a private bargain in that way: and so it was in the case of the Piako Swamp. I regret that the honorable member raised the question again, and I cannot see that he has proved any of my statements to be incorrect.

Sir G. GREY.—I feel it my duty to make some remarks in reference to the observations we have just heard from the honorable member for Egmont about the Piako Swamp. I will make them in a manner as little offensive as possible, but necessarily they must contain serious matter. We are told that the Piako Swamp was open for sale for some years, and that it had been withdrawn from sale. That was the state of the case. I would state that, having seen the country many years previously, I know of my own knowledge that there is a considerable quantity of the land included in the Crown grant which is very valuable land. Now, there was a positive law under which that land might have been disposed of. It was to be sold by public auction at an upset price, so that all the Queen's subjects might fairly and equally bid for it. That was the law in force, and that was the law to which that land was subject, every one of the Queen's subjects having the right to bid for it, of which right they could not be deprived except by law. The honorable member for Egmont then went on to state that which I could not rightly characterize without the use of very strong language—that which greatly shocked all my notions of what is right. The Government had no power over that land except as trustees. They were bound to carry out the law, and to do nothing else. The honorable member for Egmont con-

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tended that, inasmuch as they had the power to make new laws, there was nothing wrong in proceeding to break the law in force—to take from the Queen's subjects the rights they had in the land, and to dispose of it at their own will by breaking the law—because they might afterwards pass a law which would legalize that illegal act. I know of no more dangerous doctrine that could be advanced. If that principle were correct, then any party who had a majority in this House might do exactly what they pleased. They might break all existing laws, because they knew that they were sufficiently powerful to subsequently pass a law which would legalize their wrong-doing. That notion coming from a statesman—not as a mere speculation, not as a possible idea, but as an actual principle of action which has been and was to be carried into operation—is one which I hardly know how to characterize without expressing my ideas in very strong language. I do not think a worse principle could be laid down; and I think that a country would be in a very unfortunate position if such maxims could not only be held, but be put into actual operation as has been the case here. If that doctrine were allowed, that certain people might do as they liked, might break the law because they could afterwards pass another law to do away with the illegality of their acts, the consequences would be very serious. It would amount to this: that there would be no law in existence in the country but the will of the Ministry for the time being. Her Majesty's subjects would be deprived of that protection from the laws to which they are entitled; and I cannot conceive how far the ill effects of such a system as that would extend. But the persons in whose favour that breach of the law was committed were one or two of the most influential people in the colony, and, moreover, were people to whom the Government were bound by certain ties. I attribute no corruption; but I believe that no other of the Queen's subjects would have had the advantages given to them which those gentlemen had given to them. If any one in humbler circumstances, any man without such influence in the country, had made such a proposition, I cannot believe that the application would have been entertained by the Government. I do not think that any reasonable man can conceive that such would have been the case. Thus we have this: that one or two persons of great influence, who wished to acquire a tract of valuable land—I may call it 90,000 acres, for it was 89,000 and some odd acres—asked the Government to deliberately break the law, for the purpose of giving them that tract of land at what I consider was a most inadequate price. Not only did they get that advantage, but they got possession of a tract of land so large that it was almost impossible for private individuals to hold it in that district without inflicting wrong upon many people; and the result was that they ultimately inflicted a wrong—not only the first wrong of unlawfully taking the land, but the subsequent wrong of rendering impossible what I should call the settlement of the district; and that in a district in which land is absolutely

required by the people, especially the people of the Thames. That was all done unlawfully, and not only done unlawfully, but done with the stipulation that the law should subsequently be altered so that the whole transaction should be legalized. That act was performed by the trustees of the people, the very persons upon whom the honor of the country rested, and it was exercised, in favour of men who were rich and powerful, to the detriment of those who were ill able to take their own part. That was the transaction which I tried to prevent, and I appealed to this House to assist me in doing it. And what did the Government do? They endeavoured to prevent me from having an inquiry into the case; and by the action they took, supported by a majority, I may have been forced into using expressions and taking steps which perhaps I should not have taken under ordinary circumstances. I felt that I was being overborne by the honorable member for Egmont, and I felt especially wounded by his overbearing manner, because the course I pursued was simply pursued in the interest of the people of this colony. The thing having been brought to that stage, it was the duty of the honorable member for Egmont, if he desired to do what was right, to have admitted what he now admits—that he had committed an illegal act. He should have said to the House, "We put ourselves in your hands. We ask for a Committee of inquiry into the matter. We feel that a wrong has been done to the Queen's subjects; it was not done with a bad motive, it was done inadvertently; but we have made a mistake, and we come to the House and ask them to investigate the matter, for we are willing to make any compensation that may be deemed to be necessary." But they did nothing of the kind. They again went down to Government House and advised the issue of an Order in Council which would enable them to carry out their first illegal act by committing a second wrong act. The Governor, on their advice, did issue the Order in Council, and then, as was well known to honorable members, they insisted upon the House not preventing the issue of the Crown grant. But this I will say, and I say it with all respect to honorable members, that, had not the question of Abolition been pending, and had not the Government threatened to resign unless the House in some way gave a qualified assent to the unlawful course which had been pursued, that assent would never have been given, and the resolution brought down to the House would never have been passed. They used the power they possessed in this House to get an unlawful action ratified; and I confess that that case and one or two other cases have produced the impression upon my mind that this House, in handing over such very large powers to the Governor in Council in relation to public lands and public moneys, has made a great mistake. I was myself to some extent to blame for that transaction, because, exercising the power I did in drafting the Constitution Act, I had the means of taking care that the Executive Council should not exist in the form it does: but I imagined that it would really become a useful

institution. I took care that in the Constitution Act no clause appeared preventing the Crown from continuing to appoint an Executive Council in this colony. I never thought of what it would lead to. The result was, that very large powers over the lands and moneys of the colony were given by this Assembly to the Governor, and the Executive Council had the means of transacting a large mass of business. Now, I think that was an entire mistake, and if I remain in office I intend to take steps to bring this matter under the notice of the House. I shall not have time to do so this session, but I intend to bring the whole subject before the House. I intend to point out that, as a result of Ministers having the power to go to the Governor and get Orders in Council issued to carry out transactions of this kind, a sort of sanctity is given to such transactions. Very large words are used—"the Governor in Council"—and the impression left in the people's mind is that the Governor exercises supreme power: that, in fact, he sits as a kind of sovereign in council with his Ministers, and that he has power to override any recommendation—that the Ministers argue a point with him, and that the Governor immediately decides whether or not he will permit such an act to be carried out. That is an entire delusion. It must be known to every one who has a practical knowledge of these things, that Ministers advise the Governor in Council. The Governor understands very little indeed of these things, and the assent and authority of the Crown are given to transactions which may be of a very exceptional nature. The safest way will be to enact that, in all the cases in which the power is given to the Governor in Council of doing certain acts in relation to public lands, public moneys, and other such matters, the power shall be taken from the Governor in Council, and that, in so far as it is deemed to be necessary to use such great and undefined power, it shall be exercised by three or four Ministers, each attaching his name to the documents and being responsible to this Parliament and the country for that which they do, so that we may know that there will not be divided responsibility. We should take care that they are responsible to the House, and that there shall be no uncertain responsibility of any kind—that the documents which give effect to such acts shall be laid on the table of this House, bearing the names of those gentlemen who are responsible for the acts done. We should provide means by which Ministers may be made absolutely responsible to the House in some way, and be made liable in penalties if they do perform, under the authority given them, acts illegal in themselves or which may be manifestly prejudicial to the interests of the people of the country. It is only by some such measure as this that we can secure safe institutions. I shall always content myself with the feeling, whatever attacks may be made upon me and whatever abuse may be lavished upon me, that in bringing these transactions before the public I have done my duty. I shall make an effort in the direction indicated; and, if I can put a stop to the power exercised irresponsibly by the Crown, that is, the Governor

in Council, in relation to these great and important matters—if I can establish a system by which, in relation to these matters, the responsibility is fixed upon the shoulders of the proper persons—I shall consider myself a great benefactor to New Zealand. I shall use the best means to attain such an end; and I shall not suffer much from the obloquy attempted to be cast upon me, and the constant attacks made upon me, because I have done my duty honestly to my fellow-colonists.

Major ATKINSON.—The great difficulty in arguing with the honorable member is that he assumes that he alone is doing his duty, and that his opponents are influenced in their action by other motives than those of the public weal. That is the tendency of the speech which we have just heard. He makes it appear that he is striving to obtain for the people their rights, and for this House its proper authority, while, on the other hand, we are acting as extraordinary trustees, or something very like that. It was as a public trustee acting on behalf of and for the good of the country that I, for one, deliberately advised that the grant should be issued. I claim the right of being considered to be actuated by as pure motives as is the honorable gentleman at the head of the Government, and I am willing at all times to have my judgment called in question. There would have been none of the difficulty which has arisen during these last few years if the honorable gentleman had been content to find fault with the judgment of those who were opposed to him, but it is the motive which he has always attacked. He has shown that throughout his speech to-day, which was an exceedingly moderate speech for the honorable gentleman to make. When he tells us that we broke the law in doing this he does not really put the facts before the House. By the New Zealand Settlements Acts—and I would point out that the honorable gentleman must see that, as Governor of the colony, he took an active part in the passing of those Acts, and assented to them on behalf of the Crown—it is shown that it was considered necessary by the Government of the day, by the Ministry, and by this House that, in order to secure the peaceful settlement of the country, extraordinary power should be given to the Governor in Council to deal with these matters. It was necessary in the interests of the peace and good government of the country to give extraordinary power to deal with these particular lands. Now, what I find fault with the honorable gentleman for doing is this: speaking of the dealing with these confiscated lands as though it was a dealing with the ordinary lands of the colony. But the circumstances were exceptional, and the law was exceptional—

Sir G. GREY.—I rise to make a personal explanation. I have simply to say that, like other lands, they could only be dealt with in conformity with the law under which they were to be sold, and that the law should have been obeyed.

Major ATKINSON.—I quite understood the honorable gentleman. But any honorable member, on hearing him, would draw from his argu-

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ment, or would understand, that we had been setting aside the ordinary law.

Sir G. GREY.—Yes.

Major ATKINSON.—Well, such is not the fact at all. Under every one of these Acts power is granted to the Governor to dispose of the land. Absolute power is given to the Governor in Council to dispose of this land as a trustee—power to dispose of it as he shall think fit. The only difference between us is that we could absolutely, legally, and morally have made a law—I will quote the honorable gentleman's own words—"to authorize the sale of land on the conditions that were agreed upon."

Sir G. GREY.—Equally to all.

Major ATKINSON.—No, not equally to all.

Hon. MEMBERS.—To all alike.

Major ATKINSON.—We differ as to the interpretation of the law. I say absolutely, No. The honorable gentleman himself, as Governor of the colony, was a party to the giving away of enormous quantities of land to military settlers without competition. I say that the case is identical.

Sir G. GREY.—I rise to make a personal explanation. The land was given to military settlers under published regulations, which were known to the country. It was not secretly done, without the country having any knowledge that such a transaction was to take place. I, as Governor, acted then under the advice of Responsible Advisers.

Major ATKINSON.—The honorable gentleman is hardly justified in interrupting me to make that statement. It does not affect my argument, and the honorable gentleman was hardly justified in interrupting me. It is not true that there was a difference, according to my view of the case. For all the high officers in the military force he obtained portions of land; the land was secretly selected and given to them for their services. Coming back to this particular transaction, I say that an agreement had been entered into with those persons for this land, and I, coming into the Government at that time, agreed to the transaction, upon careful inquiry and because I was satisfied that it was to the interest of that particular district. I was acting strictly as a trustee, and I say that there was absolute power with the Governor to deal with the land as he did. No doubt, looking at the suspicions that have been cast upon it, it would have been better to have issued the Order in Council first. I admit that; but there is no doubt about this—I am speaking of what I know to be a fact: that the honorable gentleman, when Governor of the colony, was a party to giving away large tracts of this land without any authority of law whatever; that he took upon himself to enlist large numbers of men with promises of particular pieces of land, without any authority of law whatever. Now, I say that the honorable gentleman was quite justified in doing that. I do not blame him; but what I want to point out is that we were dealing, and so was he, with exceptional circumstances.

Sir G. GREY.—I rise to a point of personal explanation. At the time the land was given to

the military settlers it did not belong to the colony. It was conquered territory, and I had the power of exercising the right I exercised under responsible advice.

Major ATKINSON.—This was conquered country, and part of the ceded land. The honorable gentleman would have had no power to give away land which did not belong to the colony. It must have come into the possession of the colony before he had any authority to give it away. There is no question about that. It is a great pity we cannot treat this as a matter of argument, and discuss it without feeling. I have endeavoured all the afternoon to exclude feeling entirely, and every word I have spoken has been perfectly dispassionate. The objection I take to the action of the honorable gentleman is that, in all his charges relating to this confiscated land, he has never represented it as exceptional—that there was absolute power in the Governor to deal with the land by Order in Council upon any conditions he liked, and that the only ground for saying that there was an illegal transaction was that the Order in Council was not first issued. Large tracts of land were actually given away by the honorable gentleman not only before it belonged to the colony, but even before it was confiscated. With regard to the responsibility of Ministers in relation to Orders in Council, I would point out that Ministers are absolutely responsible for every Order in Council which is issued; so that there is nothing new in what the honorable gentleman proposes, except that he proposes to attach penalties for wrong-doing. That may be advisable. It is possible that we have arrived at that corrupt stage when it is necessary to attach penalties. Perhaps I misunderstood the honorable gentleman. I suppose he means that there should be a right of impeachment. I should not object to that, of course; but I understood from the drift of the honorable gentleman's argument that he proposed quite a different process, because I take it that every Minister is absolutely and personally responsible for any Order in Council issued while he is in office. I hold myself absolutely and personally responsible for every Order in Council issued while I was in the Government, whether issued by myself or by my colleagues. That seems to me the only sound doctrine. Therefore I hope the honorable gentleman will not think that he is going to make Ministers more responsible by providing that their names shall be attached to the particular document. Of course the members of the Executive assemble in Council, and the name of every one assenting to a particular proposition is put down; and the Government as a whole is absolutely responsible for every act they do.

Motion for adjournment negatived.

#### RAILWAY MATERIAL.

Mr. ORMOND asked the Minister for Public Works, Whether any order for railway material sent to England by the late Government had been countermanded by the present Government; and, if so, will the Minister state what material has been so counter-ordered, and upon what grounds? He put this question on the Paper in

consequence of a report having been circulated through the colony by the Press that a large order for railway material sent by the late Government had been countermanded by the present Government. The House would remember that a motion was passed which directed the Government to procure in the colony all railway material that could be obtained at anything like a reasonable cost. So far as he was aware, that was strictly adhered to by the late Government; but, in order to ascertain how far these reports had foundation, he would be glad if the Government would answer this question.

Sir G. GREY replied that no order for railway material sent to England by the late Government had been countermanded by the present Government. The only case was that of the railway tickets.

#### WAIKATO HARBOUR BILL.

Sir R. DOUGLAS, in moving the second reading of this Bill, said that its object was to enable the County Council of Waikato to improve the river and harbour of the Waikato. At the present time, owing to the banks of the river being all very loose soil, it had a tendency to run into the river and form a kind of swamp, which hindered the navigation. In many cases the settlers had, with great success, planted willows on the river-banks, but no systematic effort appeared to have been made to render the river more fit for navigation. The danger was that it would become one large swamp unless something permanent were done. If an endowment were given, it might enable the Waikato County Council to improve the navigation. The Native Minister would, no doubt, be able to corroborate what he had said, and give the House some idea of the nature of the country, and of the necessity for endowing the County Council for this work.

Sir G. GREY must state that the Government could not pledge itself to allow this Bill to go through in its present form. The object, no doubt, was a very good one, and the Government would see what could be done to enable the County Council of Waikato to keep the navigation of the river open. There were, however, many questions to consider, such as the value of the land and the quantity proposed to be given, before the Government could promise their assent to the measure.

Mr. ROWE had a thorough acquaintance with the Waikato River and Harbour, and he, for one, could not support a measure of this character, no matter from what source it came. This was really to all intents and purposes a fancy motion, though it was brought forward ostensibly for the purpose of improving the Waikato Harbour. No doubt that was a very good harbour when once one got inside the bar, but it would be throwing away money to attempt to spend any on improving it. It was not wanted, for there was now a railway running alongside the river, and the necessity for the harbour was so much less than it had previously been. He would not be a party to any fancy motion of the kind,

and, as this was nothing more and nothing less, he would oppose it.

Mr. DIGNAN hoped the objection of the honorable member would not influence the House and induce it to refuse to pass a Bill for such a desirable work as this. Everybody who knew anything of the Waikato must know the necessity for the work proposed to be done. Perhaps the opposition to it was raised in order to get a monopoly of trade to the Harbour of Onehunga.

Bill read a second time.

#### GISBORNE HARBOUR BILL.

Captain MORRIS, in moving the second reading of this Bill, might state that a preliminary survey of the harbour had been made by a competent engineer, and it had been estimated that a sum of £50,000 would be required to make this one of the finest harbours in the colony. There was a reef running across the bay which might be supplemented by works in concrete or other suitable material, and would then enclose an area of 500 acres, having a depth of four fathoms at low water over 80 acres. The endowment for which he asked was of a very paltry character, but he was obliged to put it in the schedule, because it was the only land available in the County of Cook of anything like the area required for the purpose. The land lay at the head of the Waipapu Valley, and was very hilly and rough, so that it would be a long time before there would be any return from it. However, it was a preliminary step, and at some future time he would bring forward a further proposal in the same direction. He was sorry that the late Government had made no proposal, and that none was foreshadowed in the policy of the present Government, that the Government of the colony should take the harbours generally in hand, because there was no more colonial work than that. As it was necessary, therefore, that private members should introduce Bills for the improvement of the harbours in their districts, he could not help bringing this most important harbour under the consideration of the House. Elaborate plans had been prepared at the expense of the people of Gisborne, and were deposited with the late Commissioner of Customs, in whose office they would no doubt be found. Those plans would show the nature of the work that was required. He might say that, with the exception of the harbour at Tauranga, in the Bay of Plenty, there was no harbour between Auckland and Wellington in which vessels could find shelter, except that at Gisborne. Many disasters had consequently happened on the East Coast. That was one of the reasons which had induced him to bring the Bill forward. There were in the vicinity of Gisborne many hundred thousand acres of land which had been partially acquired by the Government, and he felt certain that, if the harbour were placed in such a condition that it would shelter vessels in all weathers, the price of the land would be increased to an enormous extent. He had brought the matter under the notice of the late Government, and they had been considering whether some endowment should not be given to enable the work to be carried out. The inhabi-

Mr. Roue

tants of Gisborne were quite prepared to rate themselves to the extent of £1,500 a year to pay the interest on any loans that might be obtained for pushing on this important work. He begged to move the second reading of the Bill.

Sir G. GREY said he had to make the same remark with regard to this Bill that he made with regard to the Waikato Harbour Bill. The honorable member for the East Coast had pointed out in a very able manner the necessity for a good harbour at Gisborne, but he had not shown that it was a matter of such importance as to need to be specially dealt with by a Bill of this kind. If the Government had been consulted about the matter, they might have seen their way to render the honorable gentleman some assistance, but he could not guarantee that this Bill should be allowed to pass in its present crude form. The Government felt, however, that something should be done in order to form a harbour at Gisborne, for this was a question of general importance. They would give the subject full consideration in concert with the authorities at Gisborne, and would see that a proper endowment was provided. They could not, however, assist in passing this measure.

Sir R. DOUGLAS had a strong objection to the introduction of such Bills by private members. It was not until he was compelled that he brought in a similar measure for the benefit of his own district. He thought, and several honorable members thoroughly agreed with him, that these works should be done by the Government. Members of that House had no right to make political capital out of the introduction of such Bills. For his part he would sooner see the Government bring them in, because then he would be sure of getting their support; but the fact was that private members were forced into taking these steps. It had been said that the Bill was a crude Bill, but it would very well answer the purpose intended, and, even if the endowment clauses were struck out, it would be of very great service. He hoped the Bill would be allowed to pass in some form or other.

Mr. MACANDREW did not like to oppose the Bill, because it might appear that the Government were making an invidious distinction between this and other similar Bills that had been introduced. The other Bills, however, had been on various occasions before the House in one form or another, and, attention having been called to them, honorable members understood something of their merits. But this Bill and the Waikato Bill came down upon them like a shot, and they were therefore not in a position to deal with them until they possessed the necessary information. Before giving their consent to these Bills they should know a great deal more about the condition and circumstances of the ports proposed to be dealt with. There was a good deal in the remark of the honorable member for Marsden, that it might be advisable to allow these Bills to pass even without the endowment clauses. The Government had no objection at once to hand over the administration of these harbours to the local bodies, leaving the question of endowments to be settled when they had more information

about the subject. He believed that the management of all the harbours should be left in the hands of the local bodies. In that matter he differed very much from the late Government, whose doctrine was that all the harbours should be under the control of the colony.

Mr. ROWE said he was sure the Government would find, when they made inquiries, that the Harbour of Gisborne had as good a claim to assistance as any harbour in the colony. There was no doubt that members from the various districts had been making political capital out of the introduction of Harbour Bills, but, if the claims of these harbours were to be considered upon their merits, it would be found that the harbour at Gisborne was pre-eminently entitled to consideration. He must confess that he was heartily tired of this kind of thing. It was high time honorable members had some serious business to consider, instead of endeavouring to make political capital by the introduction of such motions. He did not, however, find fault with the honorable member for the East Coast, because there were very good grounds upon which to base a claim for a harbour at Gisborne.

Mr. McLEAN said the House had already passed many Harbour Bills the progress of which it should have arrested. However, he did not complain, but he felt bound to say that the Bill before them was one which had great claims upon the House. A deputation from Gisborne who waited upon the late Government were very anxious that some steps should be taken towards the formation of the harbour at that place. The Government would find plans in the office which were very feasible, and he thought the Government should send down the Marine Engineer to look into the matter as soon as he could spare the time. He hoped the Government, instead of stopping the Bill at its present stage, would see whether something could not be done in the matter. It embraced a proposal which was deserving of their earnest consideration.

Mr. MACFARLANE said that if there was one harbour in the colony more than another that deserved consideration it was the harbour at Gisborne. The population of the place was between 5,000 and 6,000, and he knew that the loss sustained by steamers being wrecked, or partially wrecked, at the entrance of the harbour during the last two years was very considerable. Considering the large revenue derived from the district it deserved some consideration at the hands of the Government. There was no harbour in New Zealand which had a greater claim upon them. The Government had promised year after year to remove the rocks at the entrance to the harbour, and, as a very small sum would be sufficient for the purpose, he hoped that assistance would be given. He was aware that the people themselves would be willing to assist in any scheme for the improvement of the harbour. He knew every harbour in the colony, and was bound to say that some harbours in regard to which Bills had passed through the House were little creeks as compared with the harbour at Gisborne. He hoped the Government would give some assistance in the prosecution of the work.

Mr. W. WOOD said it appeared to him that the honorable member for the East Coast had made out a very good case. It was, however, to be regretted that he had not made his remarks a little more complete by giving information as to the trade of the port and the probable increase that would result from greater facilities being given. The honorable member for the Thames (Mr. Rowe) persisted in the statement that all Bills of this character were introduced for the purpose of making political capital. That remark was not made in good taste. If there were cases where Bills had been introduced simply for the purpose of making political capital, the honorable gentleman should specify the cases to which that remark would apply. There were many instances to which the remark would not apply at all, because he knew that many honorable gentlemen introduced these Bills from a sense of duty to their constituents. So far from endeavouring to make political capital out of the Bill he (Mr. Wood) introduced, the honorable gentleman must be aware that he had endeavoured last session to get the Government to take charge of it. He took steps in the same direction this session. He waited upon the Government, and did all he could to induce them to take charge of his Bill, because he knew that it would have a much better chance of getting through the Legislature if it were in their hands. However, they did not see their way to take it up, and he had reluctantly to take charge of it himself. Many other members were exactly in the same position, and if they did gain a little political popularity it was simply because they had attempted to faithfully perform their duty to their constituents. He should support the second reading, but he hoped the honorable gentleman, in his reply, would make a statement as to the present trade of the port, and the probable increase that would result from making the harbour.

Mr. SHEEHAN said the honorable member for the East Coast might very fairly be excused for having introduced a Bill to improve the harbour at Gisborne, because honorable members generally were aware that it was a most important outlet for the trade on that part of the East Coast. It had the largest trade in that part of the country, except the Port of Napier. He hoped the honorable gentleman would not for one moment imagine that the opposition of the Government arose from the fact that he was not a supporter of the Government: on the contrary, he would say at once that their objection to the proposal was based upon the belief that a great portion of the land asked for as an endowment would be absolutely useless for years to come as a means of assisting to open up the port. He hoped the honorable gentleman would not press the Bill beyond the second reading, but would accept the assurance that the Government would give the matter their consideration during the recess—an assurance that might fairly be given, because, whatever might be said about other harbours, there was no doubt that the Government would be justified next session in bringing in a Bill to deal with this question.

Captain RUSSELL said the Port of Gisborne

had a good claim to a harbour endowment. Owing to its geographical situation Gisborne would not be connected with any other port of the colony by means of a railway for many years to come. He thought it was the duty of the colony to supply it with a proper harbour, in order that the settlers there might not suffer in consequence of not being able to communicate with the rest of the world. There was no doubt that before many years were over the freehold property of the people there would be taxed on account of the expenditure on immigration and public works in other parts of the colony. He trusted that not only would a portion of land be set aside as an endowment for the harbour, but that money would be voted for the necessary works. He would give the member for the district all the assistance he could in order to bring this about.

Mr. ORMOND hoped that the Bill would not only be read a second time now, but would be brought into operation this session. He trusted the Native Minister would reconsider the matter, and agree to allow the Bill to come into operation with as little delay as possible. The honorable gentleman should remember that Gisborne was kept back at present owing to the want of proper means of communication with other parts of the colony. The present harbour was of a very indifferent character, and competent engineers had expressed a belief that a very small expenditure would improve it considerably. The Minister for Lands had said that one of the reasons why the matter should be postponed was that it was a matter which was altogether new to the House; but he (Mr. Ormond) was reminded of the fact that only the other day the House passed a Bill giving an endowment to Milford Harbour, and he had never heard of that harbour until this year, and he was sure that a proper harbour was not nearly so urgently required there as at Gisborne. There was a railway in the neighbourhood of Milford Harbour, but Gisborne had nothing of the kind, and it would be many years before Gisborne would be benefited in any way by the expenditure of public money on railways. The honorable member for Napier (Captain Russell) had very properly pointed out that the settlers of Gisborne might expect before very long to be called upon to bear their portion of the burdens of taxation in connection with the expenditure on public works. It was a fact that, as yet, the people of that district had had a very small share of the money which had been spent on public works. A great deal of money would be required to give them proper means of communication with other parts of the colony. The only practical difficulty that had been pointed out was that suggested by the Native Minister—namely, that the block of land proposed to be given as an endowment was not sufficiently valuable for the purpose. That might be remedied in Committee, when another block of land might be substituted. He hoped the Government would assist the honorable member for the district to get a more valuable piece of land set aside as an endowment for the harbour. The people of Gisborne, in his opinion, had a

*Captain Russell*

really good claim; and he trusted the House would not only read the Bill a second time, but pass it through all its stages.

Mr. REES said that both the Government and the House would do well, in considering this subject, to ask themselves whether it would not be wiser to get full information and have plans prepared, so that next session they would know exactly what was required, and be able not only to set a portion of land aside, but also to vote a sum of money for the purpose. He believed that the harbour had been rather damaged than otherwise by Government interference. He was of opinion that a good harbour might be made at Gisborne, but money would have to be expended, for it would require something more than a mere grant of land. The harbour was peculiarly situated, and it was not likely to benefit by expenditure on public works for a considerable time to come. The honorable member for Clive had truly said that this was a very important matter; but, if he thought it so very important, why did not the late Government bring down a Bill to provide a harbour for the place? As far as he knew, all they had done was to blow up a few rocks which had existed in the harbour. As the matter, which he admitted was of very great importance, had been brought under the notice of the House, the Government would be fully justified in taking steps during the recess to provide Gisborne with a proper harbour.

Captain MORRIS said the honorable member for Mataura had stated that the House had no information regarding the imports and exports of Gisborne. For the information of the honorable gentleman he would state that the imports and exports far exceeded those of Taranaki. It was quite true that the land proposed to be set aside was not of sufficient value, but it happened to be the only piece of land that was available in the district. He was quite satisfied with the expression of good feeling on the part of the Government. He did not for a moment suppose that the Native Minister would oppose the Bill because it was brought forward by a member on the opposite side of the House. He hoped the Bill would be read a second time and referred to the Waste Lands Committee. If the Government wished to inquire into the matter they would have plenty of time to do so within the next three or four days. He would be glad to see a sum placed on the Supplementary Estimates in aid of the harbour.

Bill read a second time.

#### DURATION OF PARLIAMENTS BILL.

Mr. J. C. BROWN moved, That the Order of the day for the second reading of this Bill be discharged.

Mr. STEVENS said this Bill had been introduced by the honorable member for the Thames (Sir G. Grey), and he was rather surprised that the honorable gentleman was not going on with it. He did not think it would be courteous towards the honorable gentleman to agree to discharge the Bill in his absence.

Mr. MURRAY-AYNSLEY hoped this Bill

would be fully discussed. It was a measure of interest to the people of the country, and they should see what the opinion of the House was upon it. He believed that the proposal to reduce the period for which honorable members were elected to that House would gain strength in the country. Let them at once decide to reduce the duration of Parliament from five to four years. The Bill proposed that there should be triennial Parliaments, but the House could alter that proposal if it thought proper, and make the tenure four years.

Mr. STOUT.—Make it one year.

Mr. MURRAY-AYNSLEY said they might even make it one year; but he would certainly oppose the withdrawal of the Bill.

Mr. SHEEHAN hoped that the Bill would be withdrawn without any further discussion.

Mr. DE LAUTOUR agreed with the honorable member for Lyttelton, and hoped that if the Order of the day were discharged it would be on the understanding that it was owing merely to pressure of business; and he trusted it would be brought forward early another year.

Mr. SWANSON said they could come to a decision on the principle of the Bill at once, without any discussion, if it were so desired. It was quite clear that the Bill could not become law this year, but it could be ascertained at once who were in favour of it and who were not.

Mr. J. C. BROWN did not think it was desirable to enter upon the discussion of such an important measure at this late period of the session, when there was such a pressure of business.

Question put, "That the Order of the day for the second reading of the Bill be discharged;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	81
Noes	...	...	...	...	21
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Majority for	...	...	...	...	10

#### AYES.

Major Atkinson,	Mr. McLean,
Mr. Barff,	Mr. Reid,
Mr. Beetham,	Mr. Reynolds,
Mr. Bowen,	Mr. Richmond,
Mr. J. E. Brown,	Captain Russell,
Mr. Curtis,	Mr. Sheehan,
Mr. Dignan,	Mr. Shrimski,
Sir B. Douglas,	Mr. Sutton,
Mr. Gibbs,	Mr. Taiaroa,
Mr. Gisborne,	Mr. Tawiti,
Mr. Hamlin,	Mr. Takamoana,
Dr. Henry,	Mr. Techemaker,
Mr. Kelly,	Mr. Tele.
Mr. Lumsden,	<i>Tellers.</i>
Mr. Macandrew,	Mr. J. C. Brown,
Mr. Manders,	Mr. De Lantour.

#### NOES.

Mr. Baigent,	Mr. Richardson,
Mr. Ballance,	Mr. Rowe,
Mr. Bryce,	Mr. Stout,
Mr. Cox,	Mr. Swanson,
Mr. Fisher,	Mr. Thomson,

Mr. Fox,  
Mr. Hislop,  
Mr. Hunter,  
Mr. Montgomery,  
Mr. Nahe,  
Mr. Ormond,

Mr. Wason,  
Mr. W. Wood,  
Mr. Woolcock.  
*Tellers.*  
Mr. Murray-Aynsley,  
Mr. Rees.

#### PAIR.

#### For.

Mr. Burns.

#### Against.

Mr. Stevens.

The motion was consequently agreed to, and the Bill discharged.

#### CROWN REDRESS BILL No. 1.

This Bill was further considered in Committee.

Mr. MACANDREW moved, That the Chairman leave the chair.

Question put, "That the Chairman do now leave the chair;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	80
<hr/>					
Majority against	...	...	...	...	14

#### AYES.

Mr. Ballance,  
Mr. Bryce,  
Mr. Cox,  
Mr. Curtis,  
Mr. De Lantour,  
Mr. Fisher,  
Mr. Kennedy,  
Mr. Lumsden,  
Mr. Macandrew,

Mr. Reynolds,  
Mr. Stevens,  
Mr. Taiaroa,  
Mr. Techemaker,  
Mr. Thomson.

#### Tellers.

Mr. Gibbs,  
Mr. Richmond.

#### NOES.

Major Atkinson,  
Mr. Baigent,  
Mr. Bowen,  
Mr. J. C. Brown,  
Mr. J. E. Brown,  
Mr. Dignan,  
Mr. Gisborne,  
Sir G. Grey,  
Dr. Henry,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Kelly,  
Mr. McLean,  
Mr. Montgomery,  
Mr. Nahe,  
Mr. Ormond,

Mr. Rees,  
Mr. Reid,  
Mr. Rowe,  
Captain Russell,  
Mr. Seymour,  
Mr. Sheehan,  
Mr. Takamoana,  
Mr. Tawiti,  
Mr. Tole,  
Mr. Wason,  
Mr. W. Wood,  
Mr. Woolcock.

#### Tellers.

Mr. Stout,  
Mr. Sutton.

The motion was consequently negatived.

Bill reported to the House.

Mr. STOUT moved, That the Bill be now read a third time.

Mr. MACANDREW objected to the Bill being read a third time at present, and moved, as an amendment, That it be read a third time that day six months. He held strong opinions upon the matter, and he believed that in future the course now being taken would be looked back to without any great satisfaction. He wished to record his vote, so that his action in the matter might be explained.

Question put, "That the word 'now,' proposed



to be omitted, stand part of the question ;" upon which a division was called for, with the following result :—

Ayes	...	...	...	...	27
Noes	...	...	...	...	16
Majority for	...	...	...	...	11

# AYES.

Major Atkinson,  
Mr. Baig-nt,  
Mr. Bowen,  
Mr. J. E. Brown,  
Mr. Dignan,  
Mr. Gishorne,  
Sir G. Grey,  
Dr. Henry,  
Mr. Kelly,  
Mr. McLean,  
Mr. Montgomery,  
Mr. Nalae,  
Mr. Rees,  
Mr. Reid,

Mr. Seymour,  
Mr. Sheehan,  
Mr. Sutton,  
Mr. Swanson,  
Mr. Tairaoa,  
Mr. Takamoana,  
Mr. Tawiti,  
Mr. Tole,  
Mr. Wa-on,  
Mr. W. Wood,  
Mr. Woolcock.  
*Tellers.*  
Mr. J. C. Brown,  
Mr. Stout.

# NOES.

Mr. Cox,  
Mr. Curtis,  
Mr. De Lautour,  
Mr. Fisher,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Kennedy,  
Mr. Lumsden,  
Mr. Ormond,

Mr. Reynolds,  
Mr. Richmond,  
Mr. Stevens,  
Mr. Teschemaker,  
Mr. Thomson.

# *Tellers.*

Mr. Gibbs,  
Mr. Macandrew.

Amendment negatived, and Bill read a third time.

On the question, That the Bill do now pass,

Mr. ROLLESTON said he had not voted upon this Bill, partly because he had paired with another honorable gentleman on the subject, and he did not quite know how that gentleman would view it as changed in Committee; therefore he did not like to vote. He had, moreover, been given to understand by the Maori member who brought this Bill before the House that he had accepted the amendment made in the 5th clause, and approved of the Bill as it now stood; and he understood that the honorable member for Dunedin City (Mr. Stout), who was in charge of the Bill, had made the honorable member for the Southern Maori District thoroughly acquainted with the effect of the measure. He could only say for himself that he did not believe that the claims of the Maoris would be met in a satisfactory manner by this Bill, and he did not believe that under it the Maoris would receive anything like what they had been promised by Ministers and by Committees of the House, and what they had been led to believe they were entitled to. In fact, he looked upon the Bill as a sham, a delusion, and a mockery.

Mr. STOUT would simply say that the honorable gentleman who had described this Bill as a sham, a delusion, and a mockery had taken a very peculiar course. If he held such strong opinions upon it he should not have been absent when the division came on. It was a most extraordinary thing to see an honorable gentlemen who had

*Mr. Macandrew*

held for many years a high position in the colony, and who had studied and knew all about these Maori claims, take up such a position. It was a remarkable thing that the honorable gentleman should not have taken steps to have these claims settled, and should have left it to members like himself (Mr. Stout), who had only recently come to know anything about the facts of the case, to deal with it. He could not understand such high enthusiasm when it did not take practical shape, nor could he see the reason of the objection of the honorable member for Avon.

Mr. ORMOND said the objection taken by the honorable member for Avon was perfectly reasonable, and any one who knew anything about the matter must know why these claims had not been settled before. The reason why the late Native Minister had not done something was that the Maoris came to the House and talked about a claim of £2,000,000—a claim which was utterly unreasonable, and which could never be recognized. He knew that the late Sir Donald McLean was for many years perfectly willing to recommend to the House the appropriation of a large sum of money for the benefit of the Natives. If he recollected aright, and he was sure he did, the late Sir Donald McLean proposed to set aside a sum of £30,000, and tie it up for the benefit of the Natives of the Middle Island. But if they got £500 it would be the outside amount they would get under this Bill. He did not think the settlement was likely to be at all a liberal or a satisfactory one.

Mr. MACANDREW had had a great many conversations with the late Sir Donald McLean on the subject, and he always seemed to be of opinion that the £5,000 paid some time ago was a very fair settlement of the whole claim.

Mr. REYNOLDS was astonished to hear the honorable member for Clive say that the late Sir Donald McLean was prepared to give the Natives £30,000.

Mr. ORMOND did not wish to be misunderstood. He had not said that £30,000 was to be paid to the Natives, but that that sum was to be set aside for them.

Mr. REYNOLDS understood the honorable gentleman to say that Sir Donald McLean was prepared to recommend that a sum of £30,000 should be set apart for this purpose. All he could say was that Sir Donald McLean was not prepared to recommend anything of the sort. He (Mr. Reynolds) was a member of the Government at the time, and that could not have been done without his knowledge. He had had various conversations with Sir Donald McLean on this question, who always stated that he saw no necessity for making any compromise with the Natives at all. The matter had never been brought before the Cabinet or discussed there, and he could hardly understand how the honorable member for Clive could make such a statement.

Mr. BOWEN said the honorable member for Port Chalmers was mistaken in saying that Sir Donald McLean was not prepared to make a concession to the Natives. When Sir Donald McLean was ill he (Mr. Bowen) went to him to

make a suggestion about the appointment of a Commission on this matter; and he knew the Minister for Lands was of the same opinion then as now.

Mr. REYNOLDS.—That was after he had left the Government.

Mr. SHEEHAN said that in 1872 Sir Donald McLean authorized himself and the Hon. Mr. Fox to settle this claim if they possibly could. He was astonished to hear the honorable member for Avon, who professed to be such a great friend of the Natives, opposing this Bill. The House could depend upon this: that the member in charge of the Bill would have fair-play, and that these claims would be brought before the Court. He could say that, if it had not been for the people who were working with him on the present occasion, if it had not been for their action in previous years, he would not have had this Bill passed through the House.

Mr. REID thought it was not a matter of any moment now as to what Sir Donald McLean's opinion might have been on this subject. What they had to do was to meet these claims in a fair way. He was sorry that the honorable member for Avon did not see his way to accept the motion of the honorable member for Totara, as the adoption of the motion would have done justice to the Native claimants.

Mr. ROLLESTON said the motion was not acceptable to him.

Mr. REID said that if that motion had been made he would have supported it, as it would have been nothing but strict justice to the Natives. The matter had now gone far enough, and the sooner they heard the last of it the better. He did not think any discussion that could now take place could do any good either to the Natives or to the colony. In reference to the remarks of the Native Minister, he (Mr. Reid) said he believed that in considering this matter each member of the House would do what he thought right, and would act according to his own knowledge and convictions, irrespective of party considerations.

Mr. J. E. BROWN had not taken any part in the debate. He had always felt it to be right to give to the Natives who had any claims the power of appealing to the Courts of judicature in respect of those claims. If it should turn out that the Natives had any claim, they would give them an opportunity of establishing it in the Courts. The result of the passing of this Bill would be that there would be some finality to this question, and therefore he supported it.

Mr. SWANSON had not taken any part in this debate. There was no doubt the Bill would pass, and that justice would be done to the claimants.

Mr. TAIAROA wished to explain, in reference to this Bill, that, in 1872, he got a Committee appointed for the purpose of investigating the Middle Island transactions. The Committee admitted the justice of the claims of the Natives. He was asked by the Committee what sum he would be prepared to accept in satisfaction of the claims of the Middle Island Natives. He said, £22,000,000. The Committee, on hearing that, dispersed. Another Committee was afterwards

appointed to go into the matter again. He had suggested that there should be two persons appointed, one by the Government and one by himself; but the Government declined to take any action, and did not allow the Maoris any authority to appoint anybody on their own behalf. With regard to the statement made respecting a conversation between Sir Donald McLean and himself about a sum of money, he had only to say that such a conversation did not take place. Sir Donald McLean had asked him how much he would take to settle the claim; and he replied he wanted some one appointed to investigate the claim on his behalf, and that the Government should have some one appointed on their part. That was the reason why he brought in this Bill. With reference to the honorable member for Avon not consenting to the amendment of the Bill, and speaking of his (Mr. Taiaroa's) consenting to the amendment, he might say that he had not assented to the amendment at first, because he saw that the 17th clause contained the whole gist of the Bill. However, he saw that, if he objected to the amendment altogether, he should lose the Bill. The honorable member for Avon said there was no good in the Bill; but let the Bill pass, and, if he had established no claim, let it be so.

Motion agreed to, and Bill passed.

The House adjourned at eleven o'clock p.m.

## LEGISLATIVE COUNCIL.

*Monday, 26th November, 1877.*

First Readings—Third Readings—Counties Act—Volunteers—Oamaru Recreation Reserve—Timaru Harbour Board Bill—Christchurch Board of Health Bill—Milford Harbour Bill—Education Bill—Manawatu Land Orders Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

### FIRST READINGS.

Foxton Harbour Bill, Southland Boys' and Girls' High School Bill, Roxburgh Reserves Bill.

### THIRD READINGS.

New Plymouth Harbour Board Ordinance Bill, Marine Act Amendment Bill, Gold Mining Districts Bill.

### COUNTIES ACT.

The Hon. Mr. HALL asked the Hon. the Colonel Secretary, Whether the Government intend to introduce a Bill during the present session to amend the Counties Act, and what will be the purport of such amendments? During the recess the Government sent circulars to the various County Councils asking them for any suggestions they might have to make with reference to the amendment of this Act, and answers had been received, he thought, from nearly the whole of the counties. The working of the Act during the recess had shown that it required amendment, and in some respects those amendments were very urgently needed. The Council

was told early in the session that a Bill for amending the Counties Act would be introduced, and that promise had since been repeated once or twice. They were now so near the end of the session without having seen the Bill that he had become rather anxious on the subject, and therefore placed this question on the Order Paper.

The Hon. Colonel WHITMORE said a Bill amending the Counties Act would be brought forward. It was purely to remove technicalities which had been found to impede the operation of the Act. The honorable gentleman alluded to a proposed amendment of the Counties Act which was promised at an early period of the session. There was such a Bill drafted when the late Government were in office, and it contained three, or perhaps four, clauses; but the principle was entirely to compel the adoption of the Act through the expedient of nominating certain persons to carry it out if the people in any county would not bring it into force. The proposition to appoint certain nominees to administer the whole business of a county on the principle of the Act would not be contained in the Amendment Bill which it was proposed to bring down.

The Hon. Mr. HALL asked if the honorable gentleman would answer the latter part of the question.

The Hon. Colonel WHITMORE thought the honorable gentleman had mentioned to a member of the Cabinet that there was an acknowledged defect in the Act in the absence of executive authority, and he said he would wish to have an alteration in that respect. That would be borne in mind. Throughout the Counties Act the Chairman had no executive power, and therefore the Council had to do everything. He believed his honorable friend objected to this, and had mentioned his objection to the Cabinet. The matter was being considered, to see if the amendment could be introduced.

#### VOLUNTEERS.

The Hon. Colonel BRETT, in moving the motion standing in his name, said that, considering the late period of the session, he did not propose to make a lengthy speech on the subject, and he would merely allude to the cardinal points. With reference to a motion which he brought forward in the Council during the previous month, the late Colonial Secretary laid on the table of the Council a statement of the numerical strength and of the armament of the whole of the Volunteers in the colony. He felt confident that honorable members, after a careful examination of that report, would come to the same conclusion that he had arrived at—namely, that our Volunteers were in a very bad and deplorable state, and that their condition was not at all commensurate with the very heavy outlay which was annually incurred to maintain them. He had been very frequent in his appeals to the Council against the wasteful and unprofitable expenditure of public money, and he could not abstain from throwing a certain amount of odium on the late Government for not taking steps to reorganize the whole Volunteer Force, and place it on a permanent and sound sys-

*Hon. Mr. Hall*

tem, which would meet with the approval of the country, instead of the force being, as at present, the ridicule and laughing-stock of men who otherwise would be glad to join, and would feel a pride and honor in joining, its ranks. He felt deeply indebted to the Hon. the Speaker for an analysis which he had prepared of the report laid upon the table. That analysis was a very accurate one, and would be very valuable for the information it would afford to the country, bearing as it did on the general statistics regarding Volunteers, and being drawn out, as it evidently was, with considerable attention and care. He would now make a few comments upon the statistics; and, as he would have to deal with figures, he would refer to a memorandum which he had drawn out with the Hon. the Speaker's assistance. There were altogether 123 companies of Volunteers in the colony, comprising 6,832 men and cadets, the latter numbering nearly 2,000; but he found that at the places where Volunteers were likely to be most wanted there were the smallest number of them. He referred to Taranaki and Hawke's Bay, where the country was greatly occupied by the Natives. At the former place there were two companies, one being artillery, 42 strong, and the other a cadet company numbering 29. At Hawke's Bay there was only a rifle company, 46 strong. In Otago there were 38 companies, numbering more than 2,000. He would propose to reduce the number of all companies to one-half or three-fourths of the present number, and to raise the minimum strength of a company to 60. At the last celebration of the Prince of Wales's Birthday the troops in Otago assembled, and out of that large body of 2,000 men only 800 were present. At Christchurch he had been present on the Queen's Birthday, and had counted one private, one trumpeter, and three officers as the parade strength of a company. He did not want to be severe upon the Volunteers—far from it. He thought they deserved a great deal of credit for rendering their services gratuitously to the country. Those who fought during the war under his honorable and gallant friend Colonel Whitmore deserved honor, credit, and the gratitude of the country for their noble conduct. He therefore did not wish to be severe upon the Volunteers: but in times of peace they were very undisciplined, disorganized, and disobedient; like his own countrymen, they were fine fellows in war, and devils in garrison. It was a mere waste of money to spend large sums upon Volunteers unless they had them in hand, and this was the point he wished to impress upon the Government and the Council. He should further advise that great attention should be devoted to the instruction of cadet companies, and suggest that military instruction at schools should be compulsory, with periodical examinations. The country would then have, in case of need, the raw material, and would have prepared it at trifling expense. He should encourage in every possible way rifle associations taking up prize-firing by allowing the members to have rifles and ammunition at the prime cost. He should abolish the present system of prize-firing, which was nothing more nor less than a snare, a delusion,

and a waste of public money. He should also establish military centres throughout the colony, particularly along the coast, to be chiefly composed of the artillery arm of the service. These he should place under the senior officer of the Volunteers of the locality, who should communicate with and receive orders from head-quarters. The authorities at head-quarters would then be able to convey their instructions easily, and the commanding officer would be on the spot to carry them out. He should have two or three men sent to Wellington every half-year from every important part of the colony for the purpose of being instructed in the use of torpedoes, the men, on their return to their respective localities, to impart the knowledge they had acquired to a few intelligent men, who would be able, if necessary, to utilize it. However, he hoped they would soon have the benefit of the advice of Sir William Jervoise, who would of course decide as to what should be done in regard to this scientific branch of the service. It appeared from the report which had been laid upon the table that the supply of ordnance in the colony was very meagre indeed. There were really no heavy guns, excepting a mixed lot of old heavy iron guns. They had six twelve-pounder Armstrongs, for which there appeared to be only sufficient ammunition for two days' good hot firing. What was the use of this armament unless there was ammunition? These would be perfectly useless, and might just as well be in Tipperary, or anywhere else. He now came to the small arms. There were 4,607 breech-loading rifles and 13,000 muzzle-loaders. These numbers appeared considerable at first sight, it was true, but the rifles were distributed all over the country, and in reality the number was very small. He would therefore advise that the Government should send for a number, say, one hundred, of the new arm that was now used in Turkey, and which was called the rifle-repeater. It discharged eighteen shots to one discharged by the old rifle, so that a hundred men with that arm would be equal to 1,800 armed with the old gun, which, of course, showed the immense superiority of the repeater. He would suggest that when these rifles arrived in the colony they should be put into the hands of the Constabulary, who were good soldiers and well accustomed to the use of arms. We could then ascertain in six or eight months whether the new rifle was approved of or not. He would have them used at all the outposts in the North Island, where they would be of great advantage, as a small party of six or eight men, with these rifles, would be equal to about a hundred men using the present arm. If the repeater were found useful and a good arm the Government could write for another supply. The return showed that there was no ammunition reserve. Was that right? No time should be lost in sending Home for a reserve supply of ammunition for all arms. Loose powder should also be obtained in barrels, and also pig lead and cartridge paper, so that the force could make its own cartridges, if necessary. Powder was very sensitive to climate, and consequently very liable to injury, and it was impossible that powder for guns throwing shells could

be effective unless it was in perfect condition. A grain, almost, of powder would make a difference in shell firing, and a quarter of an ounce would almost be certain to cause a failure. Therefore, unless the powder were of the best quality and kept in first-rate order, there was no use having any. It was necessary that there should be first-rate magazines in the country for storing the powder. According to the report which he had already referred to, there was a very insufficient supply of this powder, and in case of necessity the troops would be in very great difficulty, and, in fact, be comparatively useless. With regard to external defences, it would not, of course, be advisable to take any action until the arrival of Sir William Jervoise, who was one of the leading military men of the day, and whose suggestions, when made, he hoped would be adopted. He now came to rather a delicate point. They all knew that their honorable friend the Speaker had served many years in the army—that he had been in active service, had distinguished himself, and belonged to a scientific arm of the service, the Artillery. He had served a long time in the Horse Artillery, and therefore had a knowledge of military tactics. As an artillery officer he would have a knowledge of infantry as well as artillery, and, having been in the Horse Artillery, he also was a cavalry officer, and so embraced in his own person all these good qualities, and was a soldier at heart at the same time. His honorable friend also took a deep interest in the Volunteers, and had given him (Colonel Brett) very many hints, and assisted him in compiling the present information he had obtained. What he was about to suggest did not emanate from the honorable gentleman, who was perfectly ignorant of the matter. He thought that it would be a benefit to the country if the Hon. Sir John Richardson were appointed as a Royal Commissioner to visit all the stations along the coast, and to report upon them. He did not mean that the inspection should include the fortifications, or anything of that kind, as there was an able engineer officer coming to the colony to report on that branch of its defences; but his idea was that Sir John Richardson should visit the outposts and all the posts at harbours along the coast, and express his opinion upon what he saw, and upon the efficiency of each company. Such a report would be very valuable, and a great assistance to the Government in reorganizing the Volunteers, which he hoped they would see their way speedily to do. He did not know whether his honorable friend would be inclined to accept the duty, but, if he did, there could be no doubt that the report he would furnish would be a very valuable one, and would be appreciated by the whole country. Perhaps it was presumption on his part to make this suggestion, and he hoped his honorable and gallant friend would pardon him if, in doing so, he had in any way offended him. In conclusion, he would appeal to his honorable and gallant friend Colonel Whitmore on this subject. They all knew that honorable gentleman's antecedents. They knew that he was an accomplished soldier, and that he had served Her Majesty both in peace and in war.

They all knew that he had volunteered his services to New Zealand during the war, and that he had organized and trained into efficient soldiers a body of undisciplined men, both Natives and Europeans. They knew, also, that he had led those men to honor and glory; that his breast was now decorated with honors which Her Majesty had bestowed upon him; and that he returned to head-quarters at Wellington after having been the means of bringing the mutineers into subjection and peace, and after gaining for himself honor and glory and the thanks of his country. It was to that honorable gentleman he now appealed, with the hope that he would exercise the prestige and the influence which he possessed in order to induce the Government to reorganize the Volunteer Force, which, for many years past, has been in a state of chaos. He had nothing further to say; but he hoped the Council would not be reticent, and that the military men present would express their opinions, and particularly the Hon. Major Richmond and the Hon. Colonel

Kenny, who was a full Colonel of Volunteers, and whom he asked to say a few words on this occasion. He hoped, also, that his honorable and gallant friend Captain Fraser, who was an old Indian cavalry officer, would not let the occasion pass in silence. He would also ask Captain Baillie, who was an old officer, and who had seen distinguished services in India, to say something on the subject. He would appeal to every one in the Council, particularly to the military men, to raise their voice in order to assist him. He regretted that the Hon. the Speaker was unable to speak on this occasion, but he hoped that, before Parliament was prorogued, he would take an opportunity, when they were in Committee, to say something, as he had last year. He was sure that the Hon. the Speaker's remarks on that occasion had carried great weight throughout the country. The following tables would show the strength of the companies in each provincial district, also the quantity of ordnance and ammunition:—

**STATEMENT showing the Number of TROOPS and COMPANIES and the Strength of each in each Provincial District, distinguishing the different Services.**

	Auckland.		Wellington.		Canterbury.		Otago.		Hawke's Bay.	
	No. of Companies, Troops, &c.	Strength on Sept. 30, 1877.	No. of Companies, Troops, &c.	Strength on Sept. 30, 1877.	No. of Companies, Troops, &c.	Strength on Sept. 30, 1877.	No. of Companies, Troops, &c.	Strength on Sept. 30, 1877.	No. of Companies, Troops, &c.	Strength on Sept. 30, 1877.
Cavalry ...	5	256	3	112	1	78	1	40	...	...
Artillery ...	1	85	1	75	4	207	2	172	1	47
Engineers ...	1	80	...	...	1	49	...	...	...	...
Rifles ...	18	1,250	6	284	3	122	19	918	...	...
Naval ...	2	203	...	...	...	...	2	155	...	...
Cadets—Artillery ...	...	...	1	49	2	77	2	141	...	...
Engineer ...	2	105	...	...	...	...	...	...	...	...
Naval ...	1	65	...	...	...	...	1	54	...	...
Rifle ...	4	95	3	124	...	...	5	228	1	29
School ...	1	47	2	132	1	86	6	401	...	...
	85	2,186	16	776	12	569	38	2,107	2	76
Average ...	62.16		48.8		47.5		55.17		38	

  

	Taranaki.		Nelson.		Marlborough.		Westland.	
	No. of Companies, Troops, &c.	Strength on Sept. 30, 1877.	No. of Companies, Troops, &c.	Strength on Sept. 30, 1877.	No. of Companies, Troops, &c.	Strength on Sept. 30, 1877.	No. of Companies, Troops, &c.	Strength on Sept. 30, 1877.
Cavalry ...	...	...	1	35	...	...	...	...
Artillery ...	...	...	1	49	...	...	...	...
Engineers ...	...	...	2	79	...	...	...	...
Rifles ...	1	46	1	50	4	275	2	183
Naval ...	...	...	1	36	...	...	...	...
Cadets—Artillery ...	...	...	1	25	...	...	...	...
Engineer ...	...	...	1	38	2	155	2	96
Naval ...	...	...	1	51	...	...	...	...
Rifle ...	...	...	9	363	6	430	4	279
School ...	1	46	...	...	...	...	...	...
Average ...	46		40.3		71.4		69.3	

Hon. Colonel Brett

## SUMMARY.

	Cavalry.		Artillery.		Engineers.		Rifles.		Naval.		Cadets.	
	No. of Companies, Troops, &c.	Strength.	No. of Companies, Troops, &c.	Strength.	No. of Companies, Troops, &c.	Strength.	No. of Companies, Troops, &c.	Strength.	No. of Companies, Troops, &c.	Strength.	No. of Companies, Troops, &c.	Strength.
Auckland ...	5	256	1	85	1	80	18	1,250	2	203	8	312
Wellington ...	3	112	1	75	...	...	6	284	...	...	6	305
Canterbury ...	1	78	4	207	1	49	3	122	...	...	3	113
Otago ...	1	40	2	172	...	...	19	916	2	155	14	824
Hawke's Bay ...	...	...	1	47	...	...	...	...	...	...	1	29
Taranaki ...	...	...	...	...	...	...	1	46	...	...	...	...
Nelson ...	1	35	1	49	...	...	2	79	1	50	4	150
Marlborough ...	...	...	...	...	...	...	4	275	...	...	2	155
Westland ...	...	...	...	...	...	...	2	183	...	...	2	96
	11	521	10	685	2	129	55	3,155	5	408	40	1,984

## ABSTRACT OF ORDNANCE, SMALL ARMS, and AMMUNITION.

	Ordnance.			Ammunition.		
	In Store.	On Issue.	Total.	Shell.	Shot.	Total.
Armstrong Guns.—40-pounders...	...	1	1	385	56	441
" " 12 " ...	...	6	6	1,172	...	1,172
" " 6 " ...	...	10	10	1,322	3	1,325
Howitzers 24 " ...	1	9	10	3,871	...	3,871
Mortars 4½ " ...	8	2	10	4,787	...	4,787
Iron Guns ...	8	6	14	1,011	316	1,327
				1,133	...	1,133
				1,156	679	1,835
	17	34	51			
	Small Arms.			Ammunition.		
	In Store.	On Issue.	Total.	About 115 rounds ball cartridge to each piece.		
Rifles.—Snider, long, B.L. ...	344	1,453	1,797			
" short, B.L. ...	6	374	380			
" sword, B.L. ...	859	1,571	2,430			
Enfield, M.L. ...	3,591	1,908	5,499			
Medium, M.L. ...	6,466	1,173	7,639			
Sword, M.L. ...	136	28	164			
Total Rifles ...	11,402	6,507	17,909			
	In Store.	On Issue.	Total.			
Carbines.—Snider Artillery ...	216	883	1,099			
Cavalry ...	172	696	868			
Terry B.L. ...	284	521	805			
Muzzle-loaders ...	151	685	836			
Total Carbines ...	823	2,785	3,608			

\*. The rifles, both breech- and muzzle-loaders, and carbines, have a charge of 2½ drachms, and a bullet of .577, except Terry's breech-loading carbines, which have a bullet of .3.

## ABSTRACT.—TOTAL STRENGTH of TROOPS and COMPANIES.

						Troops and Companies.	Men.
Wellington	...	...	...	...	...	16	776
Auckland	...	...	...	...	...	35	2,186
Canterbury	...	...	...	...	...	12	569
Otago	...	...	...	...	...	38	2,107
Hawke's Bay	...	...	...	...	...	2	76
Taranaki	...	...	...	...	...	1	46
Nelson	...	...	...	...	...	9	363
Marlborough	...	...	...	...	...	6	430
Westland	...	...	...	...	...	4	279
Total	...	...	...	...	...	123	6,832

Motion made, and question proposed, "That, in the opinion of this Council, it is desirable that the Government should, during the recess, devote attention to the reorganization of the Volunteer system of the colony, having especial regard to the expediency of combining efficiency with economy, and to the necessity of gradually replacing, within a short time, the arms of almost obsolete pattern by arms which late observation has proved to be so very material in aid of defensive operations."—(*Hon. Colonel Brett.*)

The Hon. the SPEAKER wished to say that he was quite unaware that the Hon. Colonel Brett was about to make a recommendation to the Committee with regard to himself. If the honorable gentleman had given him to understand that he was about to do anything of the sort he could not have given him the slightest assistance in preparing the report. However, apart from that point, he indorsed what the honorable gentleman had said.

The Hon. Colonel WHITMORE said the Hon. Colonel Brett had drawn attention to a subject which the Government had not failed to consider. He admitted that there was some room for improvement in the present organization of the Volunteers. That opinion was not confined to the present Government, judging from the records which the late Government had left behind; and he apprehended the same view had been taken on the question by every Government that had existed in the country. It was not a matter that the Government could altogether decide for themselves, there was so much influence brought to bear, and so much disturbance made, as soon as any question of reduction of the Volunteers was mooted. But he sympathized with past Governments as he did with his own case when he found that the best intentions were thwarted on account of the toes it was necessary to tread upon if they endeavoured to do what they conscientiously believed to be right in this direction. One great defect was that the Volunteer corps were much too small. As the honorable gentleman had said, the organization in some cases was ludicrous, and was apparently kept up for no purpose but to maintain certain military titles for certain people, and to establish a claim for wearing a fantastic description of dress. It would be his effort as far as he could to prevent this state of things, and already he had resisted efforts to establish small corps, and had put a stop to some others which were too small to be of any use.

*Hon. Colonel Brett*

With regard to the arms the honorable gentleman had spoken about, he could not, in the present circumstances of the colony, undertake that any large purchases of arms would be made. He must say that the Snider rifles which were in the possession of the Volunteers were by no means bad arms, and were in a very fair state of repair. With the difference of opinion that seemed to exist with regard to the Martini-Henry rifle, he was not quite sure that they had not got as good an arm as the Martini-Henry. With regard to the Spencer rifle, he might say that that was a very expensive weapon, and exceedingly likely to get out of order. He carried one all through the Native war when he was connected with the colonial forces, but he came to the conclusion that, while it might suit an officer or a person who was very well accustomed to the use of rifles or delicate arms, it would not be a weapon to place in the hands of untutored men barely trained and only recently enrolled in the service. With respect to ammunition he would not take credit or discredit to himself. A considerable sum had been placed on the Estimates by the late Government for ammunition—quite sufficient for two or three years' supply. The Government did not intend this year, unless forced by a vote in another place, to have any rifle prize-firing, and he had taken upon himself to countermand the order to the extent of one-half. There was no great object in having a large quantity of ammunition in store, because, as the honorable and gallant gentleman had said, gunpowder was very sensitive to the weather, and was apt to get in bad order if kept too long. With regard to the artillery, he admitted that the guns were very inferior. There were a few small six-pounder Armstrongs, which were practically of no use, and one or two twelve-pounders which were better; but the others were useless arms, with the exception of those which the honorable gentleman called howitzers. He found them useful on one occasion. He should not fail to attend to the subject, and he hoped that they would be able to get some more artillery. The force of Volunteers in the colony was respectable, numbering, as it did, nearly 5,000 men, equally distributed in both Islands. As the honorable gentleman said, the cadets numbered 2,000, the majority of them being in the South Island. The honorable gentleman could depend upon it that he would not be a party to any deterioration of the organization of the

Volunteer Force; but he would not undertake to say that he would take any steps towards the increase of the number of the Volunteer corps. He would, personally, like to see it confined in the South Island to the Artillery and Naval Volunteers, because those two kinds of corps require a considerable amount of special training, and it would be desirable to have persons who had received such training, and who would be available in what, he hoped, was the improbable event of their harbours being attacked. The Marine Volunteers, in cases of shipwreck and in war, would also be very valuable. There was a Volunteer Cavalry Corps maintained in the Wai-kato which he had heard spoken of very highly, and there were good cavalry corps elsewhere. He apprehended that if a number of young settlers could be induced to keep themselves embodied in a military fashion, and to keep horses for service, they would be of very considerable value in case of war. He therefore approved of the course taken by the late Government in giving that body encouragement. He would attend, in a general way, to the recommendations made by the honorable gentleman.

The Hon. Captain BAILLIE wished to say a few words, seeing that the honorable gentleman had challenged old soldiers to come to the front. The organization of Volunteers meant, in the first place, money, because they could not maintain a Volunteer Force without a considerable sum of money. The Volunteers in the North and South Islands devoted a considerable amount of time to their drill. He had known Volunteers to travel eight or ten miles, or even farther, in order to attend their monthly drill. He therefore thought that the Volunteers should not be looked down upon, as they had devoted a considerable amount of time to their work. He had been present at the annual prize-firing during the last four or five years, and he had seen at the Thames as fine and as well-drilled a body of men as he should wish to see in any country. In Wanganui they had a fine body of Volunteers, and he had seen the cavalry there acquit themselves very well, which, no doubt, was partly owing to the fact that the commanding officer was an old cavalry officer. At Nelson they had a fine body of men. A few years ago they had a very small company indeed, but now they numbered two or three hundred, including the Naval Brigade, who acquitted themselves very well in connection with the wreck of the "Queen Bee." He was sorry that his honorable friend decried the Volunteers in his own Province of Canterbury, which was generally admitted to be pre-eminent in most things. He often found that the Volunteers were inefficient where the commanding officers of corps did not give much attention. With respect to the arms, he agreed with the Hon. Colonel Whitmore that the present Snider rifle was as good an arm as they could possibly put in the hands of the Volunteers. The Martini-Henry was too sensitive an arm, and could only be entrusted to men who were well trained. He did not approve of the proposal to import a large quantity of powder so that the men could make their own cartridges. Inexperienced men could not

make up cartridges, and it would be much better to obtain them from arsenals at Home. He thought the present supply of ammunition in the colony was quite insufficient, there not being more than two hundred rounds per man. He did not agree with the honorable gentleman that the prize-firing was time wasted. It caused a great deal of emulation amongst the Volunteers, and it was thought a great honor in any district to carry away the champion belt. He was very glad the honorable gentleman had brought the motion forward, because Volunteering was generally spoken of as something to be looked down upon. However, he would point out that, though the Volunteers might not be up to the standard of old soldiers, it took years to make soldiers, whereas Volunteers were only trained for about one hundred hours during the year. As an old staff officer, the honorable gentleman (Colonel Brett) must know that he could not expect to make soldiers in one hundred hours in a year. However, during that time the Volunteers did learn a great deal, and that was owing to the fact that they were generally men of greater intelligence and of much higher standing than the ordinary private soldier. Volunteers who went into the field in this colony, as the Colonial Secretary knew, had distinguished themselves very much, and he thought they always would do so.

The Hon. Dr. POLLEN said he was sorry that the Hon. Colonel Brett had not been impartial in the distribution of his praise. He observed that the encomiums which the honorable gentleman had been good enough to pass had been confined entirely to the military members of the Council, and that the civilians like himself came in for that kind of allowance which was commonly known as "more kicks than halfpence." No doubt from a military point of view that was quite right, but he thought he had himself some reason to complain of the conduct of the honorable gentleman towards him. What he complained of was this: that, having for so many years sat at the honorable gentleman's feet, so to say, and having endeavoured to carry out and even sometimes to better the instructions that the honorable gentleman was good enough to give, the honorable gentleman was not able to recognize the fact that he had done something at least in the direction of improving the Volunteer and Defence Force during the short time that he had had the honor of holding office as Defence Minister. The honorable gentleman complained that he (Dr. Pollen) had not reorganized the Militia. Reorganization of the Militia was a term the meaning of which his honorable friend did not exactly explain to him. He had not attempted to reorganize the Militia, but he had lost no opportunity and had been at very great pains to improve the condition of the Volunteer Force from the condition in which he found it. Whatever his honorable friend might think, he was satisfied himself that he had done a little in that direction. He did not give encouragement to holiday-volunteering, but wherever it was possible he had given encouragement to the maintenance in a state of efficiency of Volunteer corps which showed themselves conscious of the necessity that might



arrive some day for their services, and the members of which were disposed to make themselves not all officers, like the corps of which his honorable friend had some knowledge, but really useful trained men, whose services might be relied upon whenever the occasion for calling upon them arose. His honorable friend Captain Baillie referred to the Volunteers at the Thames. He ventured to say, speaking not as a military man, but from a civilian's point of view, that there was not a finer or more efficient body of men to be found in New Zealand, or, probably, out of New Zealand, than the Thames Volunteers. They were not Volunteers in name only, because he had been in official positions at times when it was necessary to appeal to them for assistance, and on no occasion had he ever appealed to them without receiving a prompt and ready response. Over and over again the Thames Volunteers had furnished men for active service, and they had always occupied frontier positions. That was the true use of Volunteers, and in that respect he was glad to be able to bear testimony, having left office, to the fact that the Volunteers in the North of this Island, as in other parts, had never failed in their duty. He had always, whenever he could, given the greatest possible encouragement to the training of boys at school in drill, and as far as possible in the use of arms. He had thus not entirely neglected the "raw material" upon which the honorable gentleman placed so much reliance. With regard to making provision for prize-firing this year, he would say that he thought violent changes of that kind—the sudden abolition of these meetings, to which Volunteers attached such importance—would be a mistake; but he had taken one step, at least, towards reducing the amount of expense necessary in regard to these meetings by postponing the prize-firing for one year, so that the subject might be considered. The meeting which was to have taken place this year would not take place till next year, and meetings might be held thereafter at such greater intervals as might be found necessary. Having, as he said, been filled with a desire to carry out the ideas of the honorable and gallant gentleman in the administration of the Defence Department, he felt rather hurt when he was so pointedly excluded from the compliments which the honorable gentleman had bestowed upon the military members of the Council.

The Hon. Captain FRASER was sorry the Hon. Dr. Pollen should feel hurt at the apparent neglect of the Hon. Colonel Brett. He should remember what the French say—*Tout ce que n'est pas militaire est civil*. He would not have spoken on this occasion were it not that he wished to point out that the arms of the cadet corps were in a disgraceful state, and were not worthy of the name of arms. He hoped the Government would pay immediate attention to this matter. If they intended to discipline these young men they should put efficient arms in their hands, because they would certainly grow up in a very slovenly manner if they only had the use of arms in such bad condition that it was almost impossible to fire out of some of them. With regard to the Royal Commission, he thought his honorable friend had

Hon. Dr. Pollen

had enough of Royal Commissions. On one occasion there was appointed a Royal Commission to report on the claims of certain gentlemen to the New Zealand Cross. They sent in a report that these individuals had no claim whatever to the Cross, as they had only performed the duties they were called upon to perform in the ordinary course. Notwithstanding that report, he believed that every one of the claimants who were reported against got the Cross.

The Hon. Colonel BRETT was sorry he did not do justice to his honorable friend Dr. Pollen. He looked upon him as the perfection of a Minister of the Crown, and even as a Defence Minister, because he always attended the weak, and put courage into the feeble. He was very sorry he did not do the honorable gentleman justice. He felt that the honorable gentleman's value in defence matters was hidden under a bushel. However, he had no doubt that the honorable gentleman had put the present authorities in the proper groove, and that the present Colonial Secretary would follow it up.

Motion agreed to.

#### OAMARU RECREATION RESERVE.

The Hon. Mr. HOLMES, in moving the motion standing in his name, said that his honorable friend Mr. Miller put a question on this subject to the Colonial Secretary a few days ago. The reply was not satisfactory; therefore he brought the present motion before the Council. The land referred to was a portion of a recreation reserve at Oamaru. In 1875 a Bill was brought in to take a portion of this land for gasworks, but the Council would not allow it, and on passing the Bill the Council inserted this clause:—

"But it shall not be lawful for the said Corporation to demise or lease, or apply to any other purpose than the purpose in each case particularly expressed, any of or any part of the lands described in Schedules A, B, D, and E respectively."—

—D being the land in question, reserved for recreation purposes. It was the reserve referred to in this motion. Last year the same parties (Hay and Barr) applied to have a tramway made through the reserve. That was resisted, and the Council threw out the Bill. Had that tramway been made it would have interfered very much indeed with the working of the railway. Afterwards a portion of the land was laid out by the Corporation for ornamental purposes, and a nursery. As such, in his opinion, it was not competent for the Colonial Government, if the Corporation stood upon its rights, to have taken over the land. The clause in the Public Works Act of last session, upon which the Government relied in making this contract, only gave power to take land outside the town, because reference was only made to County Councils and Road Boards. There was no reference whatever to the land being taken within towns, but the Government was effectually stopped from doing so by clause 15, which reads thus:—

"Nothing in this Act contained shall authorize the entry upon or taking, except for the purpose of a railway or other work to be made under the

authority of a special Act of the General Assembly, of any land occupied by any building, yard, garden, orchard, vineyard, or ornamental park or pleasure-ground, &c., without the consent in writing of the owner first obtained."

This land came within that clause, and the people of Oamaru had very great cause for complaint on finding that the piece of land had been leased. It was found this season that the railway station was vastly too small for the wants of Oamaru, and, as a large proportion of the Esplanade had been given to the Harbour Board, it was found that there was not sufficient space for extending the accommodation. He believed it was the intention to shift the passenger station to the land in question, leaving the present station available for goods only. In that case the two acres now taken would be required. He might say that it was never intended by the late Government that the land should be leased. It was only that morning that he had been talking to the late Commissioner of Railways (Mr. Ormond), who told him that he had never intended to approve of any goods sheds being erected in any places such as this, except in the country, and that if that had been done in the case of Oamaru it had been done without his authority and without his knowledge. That should be conclusive evidence on the subject, and he thought the lease should not be permitted to exist. It had been stated that the land was advertised, and that the public had an equal opportunity of renting it if they thought proper. Now, he would read the advertisement, and from that it would be seen whether the public generally had an opportunity of getting the land. The advertisement ran as follows:—

"Amberley through Oamaru to Bluff Railway. —Recreation-Ground, Oamaru.—Notice is hereby given that a plan, showing generally the nature of the works to be performed in the construction of the above section of railway, is deposited in the Public Works Office, Oamaru, where it can be seen at all reasonable hours for the period of twenty-one days from this date.—(Signed) J. D. ORMOND."

That was the whole advertisement. He might also say that when a lease of lands was offered, especially by the Government, it was an invariable custom to advertise for at least a month or six weeks, stating the size of the allotments and the terms on which it would be let. Then the letting took place by auction. That was the ordinary custom; but in this case the public had no opportunity of knowing what was being done, and even the Corporation only recently became aware that Messrs. Hay and Barr had leased the land, and had sent to Wellington to see if it could not be stopped. He was sorry that the action of the Hon. Mr. Miller had not had the effect of stopping the transaction. The price paid for the land was also inadequate. The rent was but sixteen guineas per annum, a sum vastly below its value; but on that point his honorable friend the Hon. Mr. Miller would be able to give some information, as he had been a party to letting some score of sites belonging to the Harbour Board at, he (Mr. Holmes) believed, double, treble, or

even quadruple the amount paid for this land. But, besides all this, the transaction was not a proper thing so far as the people of Oamaru were personally concerned. It was well known to many honorable gentlemen coming from the South that there was no town in the colony better supplied with grain stores than Oamaru. There were seven large mills of great capacity for the storage of grain in the town and district, and there must have been a dozen stone stores recently erected of great capacity, besides the old stores which had been built for some time. So that there could not be a shadow of an excuse for renting the land for that purpose, because there was ample storage in Oamaru for all the grain that might come in. He was quite in favour of letting land in country districts for stores and sidings, but objected to land being leased in the towns, particularly when it would interfere with private property. He thought, under all the circumstances, the Council would agree with him that this lease should be at once cancelled, even if compensation should have to be paid to the lessee. It was a fortunate circumstance that only three months' notice was necessary in order to cancel the lease, and he hoped and trusted that, to satisfy the people of Oamaru and to do an act of justice, this lease would be cancelled.

Motion made, and question proposed, "That, in the opinion of this Council, the lease granted to Messrs. Hay and Barr of a portion of the Recreation Reserve, Oamaru, for the purpose of erecting a grain store thereon, should be cancelled."—(Hon. Mr. Holmes.)

The Hon. Captain FRASER quite agreed with what had fallen from the Hon. Mr. Holmes. He had been informed—whether by the present Government or by the late Government, he did not know—that a lease of some frontages had been let in Oamaru for 5s. a foot, although, as his informant, a gentleman from Oamaru, had told him, it was worth at least five times that amount. It was a reprehensible system of doing things. All these lands, if they were to be disposed of, should be put up to public auction. Therefore he hoped that the motion would be carried.

The Hon. Sir F. DILLON BELL said that when this motion first appeared on the Paper he did not quite know what course he should take in respect of it, but if the facts were as the Hon. Mr. Holmes had detailed the lease ought certainly to be cancelled. Indeed, he believed that any inhabitant of Oamaru possessed such an interest in the maintenance of a reserve for recreation purposes as to warrant him in taking action in the Supreme Court for the purpose of having the lease upset. He might say that he himself, as an elector of the county, might perhaps have an interest in the matter, and undoubtedly, if he could discover that he had, he should take action, because he had fought the battle of recreation reserves ever since he had been in the country, and nothing would please him better than to take action of that kind here. He should like very much to hear what the Government had to say upon the matter, because they were largely interested, and he hoped that the Hon. the Colo-

nial Secretary would tell them what the Government proposed to do.

The Hon. Dr. POLLEN understood that the Hon. the Colonial Secretary, when asked a question on this matter the other day, had said the transaction had been arranged by the late Government for the purpose of saving cost to the colony by the erection of grain stores; and he (Dr. Pollen) might add that the Council had approved of the policy of giving every facility for the storage of grain in transit on the railways. He had no knowledge of the circumstances whatever, but he thought that, before such a strong resolution in reference to the cancellation of the lease was agreed to, it would be well that more information on the subject should be placed before the Council, especially as the objections had been so clearly put. He might remark that a Committee of the Council had been appointed to inquire into the question of the grain traffic, and that in their report they had favoured the idea of the Government assisting private individuals in the matter of storage accommodation. But the Government last season endeavoured to do that, and this motion was one of the results. Whether it was rightly done or not, or whether his honorable friend's remarks were justified, he did not know, but he thought that there should be some more information before the Council than that which they had at present.

The Hon. Mr. MILLER said he was somewhat of the same opinion as the Hon. Dr. Pollen with regard to this matter. He thought there had been extraordinary remissness on the part of the Government, but he did not know that there was sufficient information before the Council to justify them in coming to the conclusion to which the Hon. Mr. Holmes had invited them to come. It would be un-English to attempt to condemn any person without proper investigation, or without, at any rate, hearing the other side. He intended to ask his honorable friend Mr. Holmes to agree to the following amendment, which he now moved: That a Select Committee be appointed for the purpose of inquiring into the circumstances under which a lease was granted to Messrs. Hay and Barr of a portion of the recreation reserve at Oamaru; such Committee to have power to call for persons and papers, and to report on Monday next.

The Hon. Mr. HOLMES said he had no very great objection to the proposed amendment; but he might remark that he held in his hand the papers on the matter which could be supplied by the Government, amongst which were replies to a series of queries on the subject. There was no necessity for the amendment, but he had no objection to it, because it would bring out the manner in which the letting was granted.

Amendment agreed to.

#### TIMARU HARBOUR BOARD BILL.

The Hon. Mr. HALL, in moving the second reading of this Bill, said that it was practically a supplement to an Act of last session establishing the Timaru Harbour Board. As honorable members would remember, the Bill of last year, as originally introduced, contained provision, not

only for establishing the Timaru Harbour Board, and authorizing the construction of the harbour, but for assisting that work with an endowment of 50,000 acres of land, and enabling the Board to borrow £100,000 to enable them to proceed with the work pending the sale of the land. These portions of the Bill were, however, struck out owing to a variety of circumstances not altogether connected with the intrinsic merits of the case. He hoped that the present Bill, which was an exceedingly modified proposal, would meet with a more favourable reception. Upon the general subject of the necessity for this harbour he trusted that he need not trouble the Council with many remarks, because he trespassed at some length upon honorable members' time on a previous occasion, and he believed that he was fortunate enough to satisfy them that the district which depended for shipping facilities upon Timaru Harbour was a very important and rising one, and that it was the duty of the Government to do anything which could fairly be done to assist the district by providing better facilities for shipping its produce than it now had. Still, he would enumerate a few facts which would show the Council that this case was an important one. It was not a case in which a harbour existed already and that harbour was defective and only required to be improved, but it was a case in which a very large and important tract of country had really no harbour at all. All the produce from the district had to be shipped in surf boats, and of course that was a very risky and expensive process, and was one which very often involved considerable delay. He would not be going too far in saying that, looking at the importance of the two cases, and considering the amount of country to be served by the two harbours, the Harbour of Timaru was as important in this respect as the harbour at Taranaki. It was the outlet for an extensive area of country which would become a large exporting district long before, in the ordinary nature of things, that would be the case with Taranaki. The southern part of Canterbury, of which Timaru was the outlet, contained no less than 4,000,000 acres, of which, according to official reports, 2,750,000 acres were agricultural land. If honorable members would bear these facts in mind they would admit that the case was one of very great importance. He had not received statistics, but down to very early last year 600,000 acres had been sold, and the sales since that time had been very large indeed. The quantity of grain grown in 1875-76 amounted to 1,800,000 bushels. In the last year it increased very largely, and the evidence taken before the Canterbury Grain Traffic Committee showed that the increase in the growth of grain this year had been greater in that district than in any other part of the country. There seemed to be very little doubt that the additional amount of land in grain in that part of the country during the present year would be not less than 50 per cent. The total yield of wool in that district was about 20,000 bales, and of that, in 1875-76, 14,500 bales were shipped at Timaru. The imports during that year amounted

*Hon. Sir F. Dillon Bell*

to £116,000. Therefore there was an amount of produce already exported and to be exported which entitled this place to every possible assistance. The present difficulties very largely increased the cost of all imported articles. The shipping frequenting Timaru in 1875 amounted to 216 steamers and 164 sailing vessels. The people of that district had, of course, been anxious for a long time past to obtain the same advantage as their neighbours at Oamaru had obtained, and, by the erection of a harbour, to save the very heavy charges with which their imports and exports were now burdened. A careful calculation had shown that the saving in this respect on the present trade of the place would amount to no less than £26,000 a year. That was shown in papers which were printed and circulated during last year. Since last year, as he had already pointed out, the amount of land under cultivation had very largely increased, and there was no reason to doubt that it would continue to increase. The Harbour Board had, under the Act passed last session, been constituted and brought into operation. They had received a sum of £100,000, which was granted to them by the Provincial Government of Canterbury; and they had also to their credit the sum of £6,000, which they had put by from their own resources towards the erection of this work. They had, however, found that, without some further assistance than Parliament thought right to grant last session, it would not be prudent for them to engage in the construction of the work upon the plans which had been furnished to them by Sir John Coode. They therefore obtained by competition other plans, which provided for the work on a more moderate scale. Two of those plans had been sent in, and, in compliance with the provision in the Act of last year, they had been placed in the hands of a Commission which had been appointed by the Colonial Government for the purpose of reporting upon them. The more expensive of those plans was one for £160,000; the other was not so expensive. He hoped, therefore, that, upon consideration, the Council would think it right, as the other branch of the Legislature had thought, that some assistance should be granted to this particular case. All that was asked for by the present Bill was a grant of 25,000 acres of land, which would be considered worth £50,000; and with the amount already in hand—£106,000—they would be enabled to proceed with the work with a reasonable certainty of seeing it completed. He trusted that the Council would admit that the Harbour Board had gone to work in a business-like and prudent manner, and that the necessities of the case were such that they ought not to grudge them this very moderate assistance. This was all that the colony was asked to give. The amount already received had been out of the provincial revenue, and might have been spent in any other work the authorities thought proper. All that was asked for from the colony for this important district, which suffered such great drawbacks as he had pointed out through having no harbour, was a grant of 25,000 acres of land selected in the Provincial District of Canterbury, and authority

to raise upon that the sum of £40,000. He trusted that honorable members would admit that it was a very moderate and reasonable proposal. His honorable friend sitting near him said that there was a railway. That was quite true, but the transport of grain and other agricultural produce for a long distance by railway was an exceedingly expensive process. If they wished to encourage the cultivation of the land—and unless they did that to the utmost he believed the colony would find itself in a difficulty—he did not think they ought to refuse assistance in a case of this kind, where there was so large an amount of produce to be exported. It was not a matter of speculation as to whether it would be a large producing district, or whether produce would be sent away. There were the facts in evidence; and where a case of this kind was shown, and assistance was necessary for the purpose of enabling agricultural produce to be exported at a profit, he thought the Council should take a reasonable and favourable view of the matter. The Bill itself might require some modification in Committee, and, if it were read a second time, there were one or two defects which he thought might easily be remedied. When that was done, he thought the Bill, read in connection with the Act passed last session, would be found to be a very good one, and he trusted it would be effective for the purpose for which it was introduced.

The Hon. Captain FRASER said that during the recess circumstances had come under his notice which made him perfectly satisfied of the practicability of making a harbour at Timaru, and he thought the land could not be applied in a better way than in opening up the country by means of railways and making harbours, particularly in the case of a large and rich grain-growing district like Timaru. He had visited Timaru, and could not forget what he saw there. He had seen a whole family belonging to one of the oldest settlers in the district very nearly drowned when going off in a boat by a sudden "north-wester" springing up.

Question put, "That the Bill be read a second time;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	8
<hr/>					
Majority for	...	...	...	...	4
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#### AYES.

Sir F. Dillon Bell,	Mr. Holmes,
Colonel Brett,	Mr. G. R. Johnson,
Mr. Buckley,	Mr. Lahmann,
Captain Fraser,	Mr. Menzies,
Dr. Grace,	Mr. Peacock,
Mr. Hall,	Mr. Wigley.

#### NOES.

Mr. Chamberlin,	Mr. Pharazyn,
Mr. Edwards,	Major Richmond, C.B.,
Lieut.-Colonel Kenny,	Mr. Robinson,
Mr. Paterson,	Mr. Russell.

The Bill was consequently read a second time.

### CHRISTCHURCH BOARD OF HEALTH BILL.

The Hon. Mr. HALL, in moving the second reading of this Bill, said it bore upon the same subject as one which was passed two days ago in the Council. It would be in the recollection of honorable members that when the Public Health Act was passed last session it was provided that Christchurch and the surrounding districts, which for municipal and Road Board purposes were under the management of the City Council and of several Road Boards, should for sanitary purposes be placed under one Board—a Board which, for drainage purposes, already had jurisdiction over the district. It was then thought that the health of the whole district would be better looked after and sanitary arrangements better controlled by one Board than by several. Since then a difference of opinion had arisen. A feeling now existed among members of the Municipal Council that they should exercise within the city the powers of the Board of Health. He wished to explain that he took charge of this Bill not as himself thinking it the best solution of the difficulty at the present time, but at the request of the promoter he had undertaken to put it before the Council, and to endeavour to state fairly the arguments by which it was supported. This Bill, although not incompatible with, was, no doubt, rather inconsistent with, the one recently passed by the Council. The Bill already passed provided for placing the Local Board of Health in funds by authorizing them to take the funds necessary for sanitary purposes out of their ordinary revenue, and thus got over the objection which had been expressed when, as originally introduced, it authorized additional rating powers. That was done not under the pretence that it was the best permanent arrangement, but that it made a provision for the present, and would enable the question of the reconsideration of the Act of last session to be more deliberately decided. It would, in fact, enable parties locally interested to discuss the matter fully during the recess, and come to Parliament on a future occasion with a proposal to which possibly all parties could agree. The present Bill proposed to transfer the powers of the Local Board of Health in the City of Christchurch to the Municipal Council, and in support of that proposal resolutions had been forwarded which were agreed to at a public meeting held at Christchurch. He would read the most important, which were as follows:—

"1. In the opinion of this meeting it is expedient that the Bill now before the Assembly, intituled 'The Public Health Amendment Act,' should not be proceeded with until such time as the ratepayers of the district concerned have had time afforded to them to consider the same."

"2. That this meeting protests against any additional rating power for local purposes being given to any body outside the City Council for the City of Christchurch."

"3. That in the opinion of this meeting it is desirable that the powers to be exercised under the Public Health Act should be vested in the Christchurch City Council within the city, leav-

ing the remainder of the drainage district to be dealt with by the Drainage Board."

"4. That it is desirable that copies of all Bills introduced into Parliament affecting Municipalities should be furnished by the Government to such bodies as soon as printed."

"5. That his Worship the Mayor be requested to forward the above resolutions to the Colonial Secretary and City members, with a request that effect may be given to the same during the present session."

That was the opinion expressed at that meeting. On the other hand, applications had been made by the Road Boards that the suburban districts should be dealt with, not by the Drainage Board, but by the various Road Boards themselves. The principal arguments which he understood were urged in support of this measure were these: that the City Council of Christchurch already had officers who had to perform duties which, if not analogous to those of the officers of the Board of Health, would at any rate enable them to undertake the additional duties under the Public Health Act with very little extra trouble; also, that the vesting of the duties under the Public Health Act in a separate Board was an interference with the ordinary municipal government of the city. He thought he had fairly stated to the Council the arguments in favour of this Bill. As he had said before, it was not absolutely incompatible with the Bill already passed, although he was bound to admit that it proposed a different mode of settling the question.

The Hon. Sir F. DILLON BELL thought the Council was indebted to his honorable friend for the manner in which he had explained the Bill, but he hoped that they would not listen to this proposal. If they passed this Bill the Council would be flooded with other applications of a similar kind, and the result would be very pernicious. It was not necessary for him to state his objections fully, because he thought that the admissions his honorable friend had made were sufficient to show that it would be inexpedient to make the change which this Bill proposed; and he would simply move, That it be read a second time that day three months.

The Hon. Colonel WHITMORE must support that amendment on this ground: At the request of a good many persons interested in that part of the country, and representing all the interests concerned, a Bill upon this subject was introduced and supported by the Government; but, before it had been long in Parliament, this Bill was appealed against by the inhabitants, and the Government found that, while some enactment was absolutely necessary to provide for the proper sanitary condition not only of Christchurch itself, but of the suburbs, it was almost impossible to harmonize the very conflicting views that existed on the subject. The municipal body had agreed last year to be included in one Board of Health with the suburbs, and to give the duty to the Drainage Board. This year the Corporation had gone back from their wishes, and expressed great unwillingness to carry on that arrangement. The suburbs, if they were not left under the Drainage

*Hon. Captain Fraser*

Board, would each like to start on their own account. Then the Drainage Board said that if any portion of their charge were taken from them they would have nothing to do with the duty. The Government made every possible inquiry, and every suggestion possible to meet the circumstances, in order to enable them to carry out the law; but, finding that no satisfactory solution could be attained, at last they accepted the amendment of the Hon. Mr. Buckley, which struck out of the Bill all but one provision enabling the Drainage Board to defray their expenses for the current year out of the drainage rates. The Government believed that if that Bill became law the suburbs and the city would have the remaining six months to consider what they really desired, and next year a Bill might be introduced which would be a complete scheme, accepted on all sides. He objected to the present Bill because it took away the central portion of the district and left the rest to shift for themselves. The Drainage Board had already declared that unless the city were comprised within their charge they would have nothing to do with it. There was no time now to legislate for all the suburbs, and it was questionable whether they would not be doing a very unwise thing if they disturbed existing arrangements. He would oppose this Bill, and support the amendment of the Hon. Sir F. Dillon Bell. No doubt there was something to be said for the city, as probably they did not like to form the sole exception to the municipalities throughout the colony, all of which were the Local Boards of Health. He presumed that had weighed with them, and had influenced them in bringing up this Bill. He hoped that during the recess the whole question would be thought out by the inhabitants, and that they would be able next session to bring in some measure which would be quite satisfactory.

The Hon. Colonel BRETT said that, through the Mayor of Christchurch, he had been solicited by the Council and citizens apparently to oppose this Bill. He held in his hand a telegram which he had received, stating that the Council and citizens desired him to be good enough to aid in passing the former Public Health Bill. Since that Bill was in opposition to the present Bill, he thought he must raise his voice against this Bill. Having received such a telegram from his Lordship the Mayor of that great City of Christchurch, he must in duty comply with the request. He was not conversant with the whole matter, but he presumed he would be acting rightly by following the advice contained in the telegram. He trusted the Council would take the same view as he did. He could not see the object of his honorable friend in bringing in this Bill.

The Hon. Mr. BUCKLEY intended to support the amendment, particularly as the Council had already passed a Public Health Bill which was looked upon as a settlement of the question. This Bill was evidently the result of some little jealousy between the Corporation and the Drainage Board. Last session an Act was passed giving the Drainage Board, as the most proper body, full control not only over Christchurch, but also over the suburbs, as the Local Board

of Health. One mistake was made in that Act—they gave the Board full powers, but they did not give it funds to carry out its work. However, the Bill passed this year would get over the difficulty, as it would enable the Drainage Board to pay expenses out of rates raised both in the city and in the suburbs. He hoped the amendment would be carried, and, if during next year the Drainage Board failed to carry out its duties properly, it would be quite time enough to consider the propriety of making an alteration.

The Hon. Dr. POLLEN thought it would soon become necessary to revise their Standing Orders so as to protect honorable members against Mayors. He understood, from the way in which the Hon. Colonel Brett had just spoken, that the honorable gentleman considered that he had been intimidated by the municipal authorities of Christchurch, and that he was bound to vote in accordance with the orders he had received. He (Dr. Pollen) did not himself suffer in that way, but in his experience he had found that other honorable gentlemen had been very much afflicted by Mayors. Under the circumstances he thought some protection might become necessary. It appeared to him that there was no evidence before the Council that the arrangement originally made when the Public Health Act was passed in 1874, by which the Drainage Board of Christchurch was made the Board of Health for the district, required to be generally altered. No complaint had been made against the arrangement sufficient to induce the Council to change the view then pressed upon them, except the single one as to the difficulty of finding funds to meet the expenses necessary to carry out that Act. That difficulty had been overcome by the legislation of this session, not exactly in the way in which it should be, as he thought, but sufficiently for the present purpose. The Act he referred to authorized Drainage Boards to appropriate part of the moneys raised for another purpose to this specific object. In that respect the Act was sufficient for the purpose, and obviated the necessity for the present Bill. He thought it would be advisable to leave the question as it now stood, and allow the persons interested in its discussion time to consider the whole question. He would therefore vote for the amendment.

Amendment agreed to, and Bill ordered to be read a second time that day three months.

#### MILFORD HARBOUR BILL.

The Hon. Mr. WIGLEY, in moving the second reading of this Bill, said he was sorry that he was not able to give all the information he could wish about this measure, because the honorable member who had introduced it into another House was ill. The place to which the Bill referred was the centre of a very large agricultural population. He did not think he need go into figures very much, as the Hon. Mr. Hall had already done that for him. If honorable members would only substitute Milford Harbour for Timaru the Hon. Mr. Hall's remarks would be applicable. The harbour was in a very central position, as honorable members would see when he stated that it was about sixty miles from Oamaru and ninety

miles from Lyttelton. This was not a hasty measure. It had been carefully considered by the inhabitants of the district, and they had put their hands into their own pockets in order to have it properly surveyed so as to ascertain the depth of water. They had already paid £1,000 to Mr. Johnston, who, no doubt, was well known to members of the Council as a very experienced engineer. Mr. Johnston had taken the depth of the harbour, and had supplied a very elaborate and extensive plan, which could be seen in the Library. He had also furnished a very voluminous report, a portion of which was as follows:—

"The total approximate cost of the consolidated or complete works is therefore £91,927, exclusive of that of constructing a branch railway from the main line at Temuka, which may be taken at £6,000. It need hardly be said that the railway would greatly facilitate the construction of the harbour works, which by its aid ought not to take more than from nineteen months to two years to enable vessels drawing from twelve to sixteen feet of water to enter the lagoon, and three years to complete the whole of the proposed works provisionally, which I have great hopes would enable vessels drawing eighteen to twenty feet to enter the lagoon."

Now, if Mr. Johnston's report was correct, vessels of very large draught would be able to enter the harbour. The first object of the Bill was to form a Harbour Board to carry out the works, and the next proposal was to grant land to the Board. There were, in fact, two grants proposed. The first grant was the shingle-bank between the lagoon and the sea. The other grant was an endowment of 50,000 acres of land. He did not think that it was necessary to say anything more in reference to the Bill. Its promoter in the other House was thoroughly well acquainted with its merits, and would be able to give all information regarding it before the Waste Lands Committee. He did not wish to anticipate any objections to the Bill, but one which might be made was that two harbours so near as this and Timaru would be too close together. The distance was about twelve miles. However, he would ask the Council to permit the Bill to go before the Waste Lands Committee, so that the merits of the harbour and those of the proposed harbour at Timaru might be thoroughly well inquired into. His opinion was that Milford was the more eligible site for harbour works. He would move the second reading of the Bill.

The Hon. Colonel WHITMORE said that, with regard to this Bill, as well as the Timaru Bill, he did not wish to express an opinion, but he thought that, as the first had been accepted temporarily with the view of its being examined by the Waste Lands Committee, it was only fair-play to allow this Bill to have the same chance, and let each be considered on its merits. The only great advantage from a public point of view, perhaps, that one could discern was, that one Bill asked for only half as much as the other—one Bill asked for 50,000 acres, and the other for 25,000 acres of land as an endowment. There was something in that which would probably commend itself to the minds of honorable gentle-

men. It by no means followed that a Bill of this character was accepted because they agreed to its second reading. They were in the habit of examining such Bills closely before the Waste Lands Committee, and, as the Timaru Harbour Bill had passed, he would support the reading of this Bill a second time, in order that the Waste Lands Committee might decide between the two.

The Hon. Captain BAILLIE did not think the Waste Lands Committee should be called upon to decide this question. The Council itself should say where those things were to stop. They had already proposed to give 1,700,000 acres for harbour works and other things. Now, in the Financial Statement they were told that the Land Fund was to be taken in order to help the ordinary revenue of the colony and to pay their debts, but if they went on voting away the Land Fund for those works there would be nothing left to take. The Colonial Secretary, who led the Council, gave no decided advice upon this subject at all.

The Hon. Mr. ROBINSON said that the honorable member who introduced the Bill had done right to explain where Milford Harbour was. In a room in these buildings a map had been hanging up for some time past, and on it he had seen a place called Milford Lagoon, and he perceived the two places were identical. It seemed that the strong easterly gales had blown up a huge shingle bank, and had formed a place where gentlemen might go duck-shooting; and this was the place where they were asked to make a harbour. It seemed to him that the action the Council was asked to take was perfectly ridiculous. A very short time ago, they were informed, in a Financial Statement made in another place, that the liabilities of the colony were something like £22,000,000, and that it was proposed to borrow £4,000,000. This would make a total indebtedness of £24,000,000, for of the £4,000,000 to be borrowed he believed £2,000,000 were to be used in paying off existing debts in the shape of Treasury bills. Further than that, they were told that at the present time the expenditure exceeded the revenue, and that a sum of £711,000 was required to make both ends meet.

Hon. MEMBERS.—No.

The Hon. Mr. ROBINSON.—That was shown in the Financial Statement.

Hon. MEMBERS.—For this year?

The Hon. Mr. ROBINSON was speaking of the present year. It was said that £711,000 was required to make both ends meet; and he was quite content to accept that statement, because he had great confidence in the gentleman who made it, and he had heard nothing which would incline him to throw doubt upon it. Then, when the Treasurer proceeded to show how that liability was to be met, he said that he proposed to meet it by consolidating the land revenue. However, it appeared that the land revenue was only to be taken as from the 1st of January next, and it was therefore questionable whether, even with the land revenue, there would not be a deficiency. That being so, it seemed to him to be perfectly preposterous that the Council should be asked to take out of that land revenue the

Hon. Mr. Wigley

price of a large number of acres for the purpose of spending the money on these out-of-the-way harbours. The Hon. Mr. Holmes the other day told the Council that it was proposed to take 1,700,000 acres of land for various purposes of this kind.

The Hon. Mr. HOLMES said he valued the land to be taken at £1,700,000. He did not state that 1,700,000 acres of land would be taken.

The Hon. Mr. ROBINSON was under a misapprehension in that respect, but he certainly understood the honorable gentleman to say what he had attributed to him. If this Bill were agreed to, the action of the Council would be worse than the conduct of the dog in the manger. The dog did not consume the hay which remained there, although he would not let the ox have it; but the Council was asked to give a portion of the land revenue out of the exchequer of the colony, and literally to throw it into the sea. He was perfectly clear on this point: that they had no evidence whatever that any great benefit could arise from the proceeds of the endowment which it was proposed to make. If the policy of the Government was to be accepted—and it was, he believed, generally accepted, not only by both branches of the Legislature, but by the country—why should the Council sanction these large quantities of land being taken as endowments for making these harbours? Such proposals really came to this: that the Council was asked to allow these harbours to be made out of the consolidated revenue, a thing which had never yet been done, and which was all the more indefensible because they were told that the consolidated revenue would not bear the charges which were already placed upon it. If such action were taken, the Council and the Legislature generally would be stultifying themselves. The Council had in past years stood high in the estimation of the country, and he hoped it would still do so; but, if they were to go on in this way, the people outside would say that the Council had lost its head. Some time ago the Hon. Mr. Buckley proposed that there should be a Call of the Council, but it was a remarkable thing that, as soon as matters of this great importance came forward, upon which it was absolutely necessary to have the views and assistance of every honorable gentleman in this Chamber, they found that a number of honorable gentlemen shirked the question, and went out of the Council when the vote came on. He assumed that no honorable gentleman who had made up his mind on a question would leave the Council when the votes were being taken to decide the matter. It seemed to him to be a very remarkable and very painful thing that honorable gentlemen should not have made up their minds upon this question, because if they had made up their minds they would not have walked out of the Chamber into the lobbies when the last vote came on. The honorable gentleman who had charge of the Bill brought it forward in very eloquent terms, and he must admit that the honorable gentleman did full justice to his case; but the last part of the speech was the best of it. He said he was quite sure it was unnecessary to say anything further on the Bill to convince

honorable gentlemen of its importance. There was not the least doubt of it. It did not require the honorable gentleman to tell the Council anything more in order to enable them to estimate the importance of making a harbour of a shingle-bed—a lagoon formed by the surf throwing the shingle up into a bank, which might change altogether the next time there was any heavy weather. What surprised him was that the Hon. Mr. Wigley told the Council that, if honorable members allowed the Bill to go to the Waste Lands Committee, it would be found that this harbour was of much greater importance than that at Timaru. Well, suppose it was of more importance than Timaru Harbour, was that to be taken as a good and sufficient reason why the Council should agree to the request to read the Bill a second time? Why, the whole effect of it was, that the Council was asked to appropriate £100,000 for the purpose of taking away from the railways in that part of the country traffic which they at present possessed. They were asked to appropriate the consolidated revenue of the colony for such a purpose as that.

The Hon. Mr. WIGLEY rose to a point of order. The honorable gentleman was talking about the Land Fund being a portion of the consolidated revenue. At present that was not the case.

The Hon. the SPEAKER said the Hon. Mr. Robinson was perfectly in order.

The Hon. Mr. ROBINSON said such was the case: it was part and parcel of the consolidated revenue. They were asked to appropriate the land revenue for the purpose of building what was called a dock, and a connecting link between that and another port at Timaru. Before the main trunk lines of railway and the various branches in course of construction were completed, they were asked to venture a large sum in a very doubtful speculation, and which, if successful, would take away the traffic from lines of railway barely paying expenses, because they were barely paying expenses if the loss by wear and tear, which had not hitherto been provided for, were taken into account. This was not the first proposal of a similar character. There were instances in which money had been actually thrown away in this way. He alluded particularly to Napier, in Hawke's Bay, where—and the Colonial Secretary would contradict him if he was wrong—they had already spent £40,000 of provincial funds and £70,000 out of General Government funds, with this result: that they had rendered perfectly useless what originally had been a tolerably good harbour for small vessels. This work would be a more doubtful speculation than that had originally been, and he would ask the Council, were they prepared to risk such an amount of money for such a purpose? The Hon. Mr. Wigley said this harbour was an excellent site—he spoke of it as a building site: perhaps it was, but there were plenty of other quite as good sites all along the coast, and were they to spend money on all of them? He (Mr. Robinson) thought that, when they took into consideration the present financial position of the colony, instead of going into works of this magnitude, and of such



doubtful utility, they should consider whether they were likely to be remunerative investments, and endeavour to husband their resources instead of wasting them. They should husband their resources mainly for the purpose of completing works in course of construction and making them pay, and not lavish their means on proposals such as this, and such as those they might expect shortly to come before them. They did not yet know what the result of the four million loan would be when it was placed upon the London market; but this he would say: that success would be imperilled if the London creditor came to know—and he soon learned all about these things—that they were entering into such works as these. What would be the consequence if the London creditor were told that we could not make both ends meet, and were therefore obliged to make the Land Fund colonial revenue in order to enable us to do it, and that, immediately such a policy was resolved upon, we commenced to reserve endowments for such works as these, whereby the Land Fund would be rendered mythical? If it were known that we were so acting, the London creditor would have very little confidence in us, and the loan would have to be paid for very dearly. Again, if there was a deficiency, where was it to come from? How was it to be made up?

The Hon. Captain FRASER.—A land tax.

The Hon. Mr. ROBINSON.—Yes, a tax of every kind. They would have to tax the honorable gentleman's watch. He asked the Council to seriously consider how it was acting; and, with a view to the rejection of this Bill, he would move, That it be read a second time that day three months.

The Hon. Mr. MANTELL said that it was a pity—in fact, there were two pities—it was a pity that they had departed from the ordinary course, and taken the debate upon the principle on the second Bill instead of upon the first; but, on the other hand, it would be a pity that these Bills, which had come into life together, should be divided in death; for the one had been taken and the other left. The Bill might as well be read a second time, and referred to the Waste Lands Committee. He might remark, in reply to the Hon. Mr. Robinson, that this scheme had one advantage over the Napier scheme: If Napier had been a good port for small craft, and had been spoilt, such could not be the result in this case, seeing that the harbour was not fit for small craft now.

The Hon. Dr. POLLEN said there was a principle involved in this and other Bills of a similar character which had come before the Council lately. It was not simply a question as to whether there should be a harbour here or a harbour there, not whether there should be a branch railway here or a branch railway there, but whether they were going to enter upon a new line of policy, and, instead of seeking to pay for these works, as they had hitherto been paid for, in money or out of loan, to pay for them by giving away the land of the colony. That was the question, and it was a question which honorable gentleman would not face. They

would persist in considering the case of this harbour and that harbour, of this railway and that railway, upon their merits; and, in consequence, there was a great deal of doubt and unsteadiness in the action of the Council—a point upon which he had before remarked. He had, so far as he was able to do so, drawn the attention of the Council to this point repeatedly; but it seemed to him to have been a foregone conclusion that all these reserves should be set aside, that all these railways should be made, that all these harbours were necessities for the progress of the colony; and therefore he had given up the task in despair. It seemed absolutely hopeless for any one to stand up against the demands on the lands and the purse of the colony for the prosecution of works which to call necessary was a fraud of language. They were in no true sense necessary, and it was a piece of dishonesty, so far as the public creditor was concerned, to take from the public landed estate pledged to the outside creditor means for the purpose of making these railways and harbours. He had set this aspect of the matter before the Council, but to no purpose. He had followed his honorable friend into the lobby on the occasion of the division on the Timaru Bill—he had followed the lead of the Government on that Bill, and had not voted, as well as on others; but he hoped his honorable friend would not regard that phenomenon as an indication that he thought him right on that occasion, because he really thought they were both wrong. His honorable friend Mr. Robinson had told them that the Land Fund was to be colonial property, and that they ought not to allow Mr. This or Mr. That, this honorable gentleman or that honorable gentleman, to bring in measures of this kind, asking for such large endowments from out of the land of the colony. That was a principle he (Dr. Pollen) fought for. The land should be dealt with in all respects and on all occasions upon the responsibility of the Government, and the Government should not curry favour with this constituency and that constituency by throwing to them large tracts of public property. That was a principle which ought to be recognized; but it was not recognized, and therefore it was of no use to talk.

The Hon. Colonel KENNY was greatly surprised to hear the speech of the Hon. Dr. Pollen. He professed to have the same views as he (Colonel Kenny) held; he had repeated almost the exact words of a speech which he (Colonel Kenny) had delivered a short time since. The honorable gentleman said the Council was not doing its duty; that it was useless for him to talk; that the Council seemed determined to give these endowments away which ought to remain the property of the Consolidated Fund. The honorable gentleman knew his (Colonel Kenny's) views upon the matter well enough, but he begged leave to say this: that, before the honorable gentleman proceeded to read a lecture to the Council, he should blame his own conduct. He should remember that he was one of six who had refused to give their votes that evening on a similar question. It was he, and those other

Hon. Mr. Robinson

honorable gentlemen who had gone into the lobbies when the vote came on, who were afraid to face the question—not the Council as a whole.

The Hon. Mr. MANTELL explained that, as one of the six or seven, he had paired on the Bill.

The Hon. Colonel KENNY remarked that the honorable gentleman to whom he was more particularly referring had attempted to justify himself by saying that he had followed the Government; but was that a justification? The fact was that the honorable gentleman had persistently neglected his duty in having allowed these things to go on in the past. As long as honorable gentlemen turned these matters into jokes, as long as they failed to seriously appreciate what was their duty, so long would it be useless to entertain any hope for the future conduct of the Government of the colony. He was sorry to have to speak of the honorable gentleman in this way, but he thought, after what had fallen from the honorable gentleman, that the Council would not consider his (Colonel Kenny's) remarks uncalled-for. So long as the Council merely talked—and it often talked too much, and did not act—they could not hope to be of any service to the country.

The Hon. Captain FRASER regretted that the Hon. Dr. Pollen should have made such a speech as he had made so late. Had he spoken in that strain on the Oamaru Bill he would most likely have carried his (Captain Fraser's) vote. The Hon. Mr. Robinson had talked about throwing away the money. Why, the wise men of Gotham said that the Oamaru Harbour would be a great mistake, and that it would be as futile to attempt to build a harbour there as were Mrs. Partington's efforts to stop the rollers of the Pacific with a mop. Those men all prognosticated that these works would be swept away; yet both the harbour at Oamaru and that at Kakanui had been perfect successes. With regard to the miserable attempt to make a harbour at Napier, any man of common sense visiting that place could see at once that a harbour could never be made there. He said, again, that the best object they could apply the lands of the colony to was the making harbours where they were required and making railways where they were required. If honorable gentlemen thought that they were going to avoid the land tax by preventing the land being localized before the 1st January, they were very much mistaken. In the first place, they had no right to look at the Land Fund as consolidated revenue. He hoped that they would have the land tax by next session. Nothing could prevent it. Throwing out this Harbour Bill and that Railway Bill would not prevent them having a land tax, and a proper land tax. They would have to look to that for revenue, and not to these miserable attempts—he would not say from party feeling or from any other cause—to throw out all these Bills. He should be delighted to see a land tax. He would suffer in proportion as others did; his small patch would be taxed when other honorable gentlemen's 200,000 and 250,000 acres would be taxed; but the colony would get a very good revenue

from that tax. More than that, he hoped that a railway tax would be carried. The property of some gentlemen in this country had been doubled and trebled in value by railways going through their land, and if there was a dissolution he was sure that there would not only be a land tax, but a railway tax besides. He had gone over seventy miles of country where the railway ran through private property. There should be a land tax and a railway tax upon such properties, and before two years were over there would be both.

The Hon. Mr. MENZIES was understood to say that the Hon. Dr. Pollen, both when he was a member of the Government and since his retirement from office, had always failed to show any sympathy with proposals calculated to promote the agricultural interests. He (Mr. Menzies) held that the future prosperity of the colony would depend chiefly upon the condition of the agricultural classes, and particularly in the South Island. It would come, no doubt, in the North Island, but more slowly. In the South Island the agricultural interest would be the predominating one before many years were over, and any application they could make at present of land by way of endowment such as would stimulate settlement or increase the production was the very best application they could make of the land. It was not squandering the land revenue if they made a port where there was no port before. The Hon. Mr. Robinson had referred to the application of land revenue to the detriment of railway traffic, but he need only remind the honorable gentleman of a point which had been repeatedly referred to in the course of recent debates in the Council—that, in order to enable the agriculturists to export their produce, they must have shipping ports within a reasonable distance. If they had a long land carriage, even though by railway, the profits on grain brought to the shipping port from a distance would be all eaten up. In the case of the district now under consideration, not only was this a most legitimate application of land revenue; but what was the use of any land revenue unless they applied the proceeds of what they sold in such a way as to increase the value of what remained? A harbour at some safe port where produce could be shipped along that line of coast from Akaroa to Oamaru was as much required relatively as a harbour was required at New Plymouth for the West Coast of the North Island on a somewhat different scale. The only question for them to consider now was, whether two ports were required, for he gathered that this Milford Lagoon was within eleven miles from Timaru. Surely both harbours could not be required; and the question narrowed itself to this: At which of the two localities could the better harbour be formed at the most reasonable cost? So far as he could judge, that would be done at Timaru, and if the Council held the same opinion they would agree that a harbour at Milford was not required, and that the endowment as proposed would be entirely misapplied. Holding that view, and as they had the authority of experts to justify them in the belief that a fair shipping port could be made at Timaru, he thought that the resources of the colony should

not be frittered away by an endeavour to form two ports where there was only one required.

The Hon. Mr. BUCKLEY was sorry to observe that in this case they had adopted a course, which had now become habitual with the Council, of allowing large Bills to pass without remark, and, when an unfortunate small Bill came on, for every member to make a "set" at it. He intended to vote for the second reading of this Bill, if it were only for the sake of its being referred to the Waste Lands Committee. He thought the people connected with that part of the country were deserving of some consideration at the hands of the Council. They had shown great public spirit in subscribing out of their own pockets in order to get proper surveys made. He understood that they had subscribed £800 or £900 for the purpose of obtaining surveys and plans, which had not been done in any other part of the colony. He had a personal knowledge of many of the rivers on that part of the coast of Canterbury, and he thought something should be done to see whether or not these lagoons could not be turned to account; and this proposal would decide that question in the case of the Ophi River. He had no hesitation in saying that he believed the time would come when it would be shown that these rivers would be made available for vessels when Timaru and Oamaru were forgotten. Honorable members who belonged to the North Island seemed to think they were not in want of harbours in the South Island. Now, it appeared to him that a good deal had been done for the North Island in the shape of harbours. They saw any number of harbours opened on the coast, and in rivers that were far inferior to the one under discussion. There were Foxton, Patea, Wanganui, Waitara, and all sorts of rivers in the North Island which had received land endowments or assistance in some other form, and they were all very much inferior to the river now under consideration. As to the country at the back, there was no comparison for a moment. There was the harbour that was proposed to be made at New Plymouth, and for which a sum of £200,000 was to be borrowed, and an endowment of 200,000 acres of land given—he had no hesitation in saying that the country at the back of the Milford Lagoon was at the present time in a higher state of cultivation, and would carry a larger population, than the whole of the Province of Taranaki would show thirty or forty years hence. Even if the borrowing powers and endowments were struck out of the Bill, it would be very useful, because he thought the inhabitants of the district were determined to make something of the place if it were possible to do so. He was very much surprised to hear the honorable gentleman who last spoke refer to this proposed harbour as being so very close to Timaru, because not very long ago the honorable gentleman was advocating a harbour in a somewhat similar position. He alluded to Riverton, which was about the same distance from the Bluff as Milford was from Timaru. Something should be done in the case of these rivers, because he quite agreed that a great deal of the money which was likely to be spent in such places as Timaru

would be thrown away, and for this reason: It was known to those who were at all acquainted with the coast that to obtain anything like good accommodation it would be necessary to spend a very large sum of money. The same might be said of Timaru as was said of New Plymouth. It would be impossible to obtain anything like good accommodation there for less than £400,000 or £500,000. He trusted the Council would consent to have this Bill read a second time, and it could then go to the Waste Lands Committee, who would have an opportunity of reporting upon this proposed harbour, as well as that of Timaru.

The Hon. Sir F. DILLON-BELL said that, although with very limited means of forming a reliable judgment, he had an impression that the proposal made in the present Bill was a much better one than that made in the case of Timaru, and he would be glad to vote for the second reading of the Bill if he were not of opinion that it would be suicidal to set up one port in rivalry to another within such a short distance. He would not have voted for the second reading of the Timaru Bill except under circumstances which he would shortly explain to the Council. He understood that, in the course of the discussions which took place in the Provincial Council of Canterbury, the condition on which the £100,000 now in the hands of the Timaru Harbour Board had been placed in the hands of that body was, that all proposals for harbour works at Timaru should be brought under the consideration of the Provincial Council. At that time it was not supposed that the provincial system would be abolished, and it was therefore provided that the Legislature of the province should have an opportunity, before any of the money was spent, to review and decide upon the harbour works scheme; which was a very wise course to take. No doubt most honorable members were familiar with the circumstances which had resulted in an examination by Sir John Coode of the proposed works, and were also aware that Sir John Coode's report upon the amount necessary to be expended in constructing a good harbour at Timaru was that the works could not be carried out for anything like the money which had been placed at the disposal of the Harbour Board. Following the course that had been adopted in the Provincial Council of Canterbury, he proposed, when the Bill came under consideration in the Waste Lands Committee, to move that exactly the same thing should be done in this Parliament as was intended to be done by the Provincial Council—namely, that no expenditure should be allowed to take place at Timaru until the scheme itself, and the results of the examination which was now being conducted at Timaru by a Royal Commission, should be submitted to the judgment of Parliament. It would be unwise, however, to do this and at the same time to vote in favour of a scheme for a harbour at Milford Lagoon. If he had been in Parliament last session he would not have given his assent to a single one of the endowments to these harbours; because he held that Parliament was pursuing a most suicidal policy in confiding to what he might call private

*Hon. Mr. Menzies*

persons, without any responsibility whatever, the execution of gigantic works in which not only the interests and welfare of the present population, but the whole commercial interests of the colony for years and years to come, were deeply involved. In his opinion, the duty of constructing harbour works was one which, before all others, should devolve on the Government and be left in its hands. But it had pleased the Legislature to determine upon the contrary policy; and, if they did not carry that policy out to its legitimate end, they would be dealing unfairly with some parts of the colony. There was no reason, however, to stretch that policy to an absurd extent: and here, as in the cases of River-ton and of Waikouaiti, it seemed to him nonsense first to place large sums at the disposal of a particular Harbour Board for the construction of a harbour, and then to set up in immediate contiguity a rival port, which they were asked to endow with an equal or even a larger sum of money. He would therefore be reluctantly obliged to vote against the second reading of the Bill. He concurred in the views which had been enunciated by the Hon. Dr. Pollen, but he would have preferred to have seen the honorable gentleman enforce those views by voting with those who had opposed the second reading of the Timaru Harbour Bill. He could not understand how any honorable member could justify his refusal to record his vote on a matter which he felt to be so important as his honorable friend had acknowledged the Timaru scheme to be. This was not the first time such considerations as those referred to by the Hon. Mr. Robinson had been brought before them. The very groundwork of the appointment of the Railways Committee was, that they should take into consideration the point that had been touched upon by the Hon. Mr. Robinson—namely, whether, by making the large reserves that were being proposed in this and many other cases, they would not deprive themselves of the means of paying their debts to the public creditor, and whether they might not be frustrating the new land policy which the Government had announced their intention of bringing down. It was for these considerations that on two recent occasions he had pressed the Colonial Secretary to tell them what the Government really meant, and what precise form they intended to give to the financial proposals which they had brought down. They could not over-estimate the importance of a question of that kind; and when such points as those mentioned by the Hon. Mr. Robinson were brought forward, he would, whether in season or out of season, continue to press upon the Government of the day the serious difficulty in which the Council were placed, when they saw schemes brought into both Houses of Parliament, and carried, apparently, to their last stage, without receiving from the Executive Government any advice to the Legislature, either one way or the other, as to whether those schemes would harmonize with the proposals which Ministers were themselves bringing down. He could not but regret the remark of the Colonial Secretary that this Milford Bill might just as well go to the

Waste Lands Committee as the Timaru Bill, and that it would be "rather unfair" if it were not as favourably treated as the Timaru Bill. For his part, he would never admit that the Government of the day, whoever they might be, could use such language to the Legislature. It was the duty of the Government of the day to lead the opinion of the Legislature towards some distinct affirmative issue, and not to leave it floundering between two opinions and without attempting in any way to guide it; and he hoped that the fact of an amendment having been moved would induce the Colonial Secretary, particularly after the discussion that had taken place, to express an opinion more definitely than he had done as to whether it would be wise to carry the Milford scheme to any further stage. Every day's reflection convinced him that they were falling into a degenerate and unmanly course of policy. They were pretending to tell the people of the country that its financial position was such that it was necessary to bring into the Consolidated Fund all sources of revenue in order to meet its legitimate demands, and at the same time they were favouring proposals the evident effect of which must be to deprive the finances of the country of the very relief which it was the object to afford by the land revenue becoming part of the Consolidated Fund. It was undeniable, and indeed was being proved in evidence before the Railways Committee, that, if they proceeded to make these large endowments of land, not merely for harbours, but for railways also, they would in Otago and Canterbury have no land revenue in the immediate future, and be driven to sell the pastoral estate in order to meet their liabilities and derive any advantage from the new financial proposals of the Government. It was not his place to say what course the Government of the day ought to take: but, if he had been a Minister when so cardinal a change was proposed in the financial policy of the country, he would have resolutely set his foot down to prevent any reserves of land being made for any new public works whatever, and would have objected to sacrificing the capital of their estate in order to provide for those public works. He would have advocated, instead, that they should go before the English money-lender and say, "We have made up our minds that, in the interests of the country, it is necessary not only that our present railways should be completed, but that other branch lines should be built, so as to increase the cultivation of the land, and give facilities for adding to the exporting wealth of the country. We come to you for means to carry out these objects, and we say to you, 'We will give you as security the whole resources of our country; we will put into a general fund the whole revenue we possess; and we ask you to lend us enough money to carry out the new works which we are determined to have, as necessary sources for increasing our wealth.'" What would have been the result if the Government had taken that course? Would they not be in a far stronger position if they would even now come down and declare which of these railways, harbours, and other public works were the most advantageous to take up in the interest of

the whole colony, not only in the South, but also in the North, where the expenditure of public money is being equally asked for? That was the position he had hoped the Government would take up, when he heard they had made up their minds to enunciate their financial policy: a policy to which he had devoted himself for a considerable time, and which he had long regarded as the only safe basis of our future finance. Instead of that, the position which the Government seemed to be now taking up was to precipitate the assent of the House of Representatives to schemes of all kinds, which came before them in a very crude and unsatisfactory state. Some of them were schemes which would never have been heard of in any Provincial Council. It might be that the Government were perfectly right: it might be that the wisest course was to pay a price in order to obtain the assent of Southern members to the loss of their Land Fund. And if the paying of that price, in the shape of reserves to the value of more than a million, would really land them at last in a colonial policy in which the whole interests of the colony would be considered, he would not regret any price they might pay; but, if they were to pay the price without getting that return, then he, for one, would very bitterly regret the share he had had in bringing about the abolition of the provincial system. If they were to see the abolition of the provinces result in a scramble such as they had seen during this session, then a day would surely come when the whole population of the country would not rest satisfied until they succeeded in getting a return to something like the provincial system, or to some other organization which would at any rate preserve the colony from what he could not but consider had on many occasions during the session conducted very little to the credit of the representatives in the other House or of the members of the Council.

The Hon. Mr. HOLMES was surprised to see the zeal exhibited by so many honorable members in discussing a Bill of such small dimensions. In another place, those who held the power of the purse, and who took cognizance of all these matters much more closely than did the Council, would pass a dozen Bills like this in a very short time. So far as he was concerned, he was inclined to deal with this Bill as he had dealt with the Timaru Bill, because he thought it was still a question whether this was not a more feasible scheme than the proposed Timaru Harbour. Had they not the experience of Kakanui, where, after the works were completed, the very first flood cleared out the channel in the shingle-bank, which was somewhat similar to that at the mouth of the river at Milford? The bank at Kakanui was six feet above high water, but after the first flood there was a depth at the entrance of 16 feet, and it had never since been below 10 feet, and steamers could now go into Kakanui. He did not know the precise nature of the Milford Lagoon, but he imagined it was something similar to Kakanui, and if one work was a success he could not see why the other should not be. At all events, he was inclined to vote for the second reading, and to remit the Bill to the Waste Lands Com-

mittee. It would be the duty of that Committee to balance the advantages of one against the other, and to recommend that one which was likely to be of the most service to the district. No doubt the Council would be largely guided by the opinion of the Committee. With regard to all these measures, his impression was that they should be held over until they had been examined [by the Committee, and then it would be for the Committee to recommend the carrying out of a uniform policy in regard to them. If it was to be the policy of the Government to pass Bills giving large endowments of land, he did not see why one district should be benefited more than another. If, on the contrary, that policy did not meet with favour, the proper course would be to throw out all the Bills and have done with them. He had a great dislike to favouritism. All the Bills ought to be referred to the Waste Lands Committee, and in the meantime they would have some idea of the policy of the Government, as regarded not only the land revenue, but also the price at which land was to be sold. In fact, the longer these Bills were put off the better, so that honorable members would have more information and be able to give a better decision. He would vote for the second reading of the Bill, not committing himself to support it further. He had voted for the second reading of the Timaru Bill, but he would regard himself as fully justified in voting against it at a later stage if, after evidence was taken, it was found not to be a feasible scheme.

The Hon. Mr. PATERSON would follow the advice given by the Hon. Mr. Holmes, and would deal with this Bill as he had dealt with the Timaru Bill—he would vote against it. They were going, he thought, a great deal too far with these harbour schemes. They were proposing to make a harbour at the mouth of every little river in the country. If they were going to make these little harbours at every ten or twelve miles along the coast, there would be very little for the railways to do. He had no confidence as to success attending these harbour works. Up to the present an enormous sum of money had been spent at Oamaru, but the success of the works there was as yet doubtful—at any rate to an extent proportionate to the amount of money which had been expended. Timaru was not likely to make what could properly be called a harbour. These small harbours would only be fit for small vessels, which would remove grain from one part of the coast to another, for they would never be available for the loading and discharging of vessels which would carry grain outside of the colony.

The Hon. Dr. GRACE said the misfortune of their position was that of late years no Government had been strong enough to direct the policy of the Legislature in the consideration of these large questions. The result to himself was that he had been compelled to make up his mind on the special merits of each case as it came before the Council. It was on that account, and believing that there were fair grounds to expect good results from the expenditure of public money at Timaru, that he had voted for the last Bill. It seemed to him too much to expect that the

*Hon. Sir F. Dillon Bell*

Council should be called upon to vote provision for two harbours so close to one another as Timaru and Milford; therefore he would vote against the present Bill. He was unwilling to enter into the consideration of the general questions which the Hon. Sir F. Dillon Bell had submitted to the Council. He totally differed from many of the deductions the honorable gentleman had drawn; but this was not the time to discuss them, however provoking the opportunity might be.

The Hon. Mr. WILLIAMSON would support the amendment of the Hon. Mr. Robinson for several reasons, one being that no such undertakings should be allowed to be brought before Parliament by a private member. It was pre-eminently the duty of the Government to ascertain if such works could be profitably undertaken. Another reason was, that at this time it was acknowledged on all hands that the debt of the colony was greater than they were able to bear. Honorable members could imagine themselves supporting an individual or firm largely, and the party supported finding himself in want of further support. Suppose that person secured all his valuable effects, and settled something that would keep himself and his family comfortably in another direction. If, after that, he went to his friends and said, "I want more money; I will give you my bond, and, depend upon it, it will be repaid," those friends would be quite justified in saying, "No; we do not like the way you have been going on. You have been making away with effects to which we looked as something to pay your debts." It had been clearly proved by the Hon. Mr. Menzies and the Hon. Mr. Buckley that private members should not be allowed to bring in those Bills. Some honorable gentlemen said Milford would be the best place on which to expend money. How was the Council to concur? It would be impossible even for the Waste Lands Committee to form a reliable opinion upon that point. As for the engineer's report before them, it was possible that was got up to suit his employers. What was wanted was a report from some one responsible to the country. The Hon. Captain Fraser seemed to anticipate with pleasure the time when all the lands would be taxed. But where was taxation to come from, if it were not taken from the land? People struggling to improve land and bring it into a state of cultivation could not afford to bear heavy taxes. They should not make those large reserves of land throughout the country, which might otherwise free the present generation from taxation, and enable them to expend any moneys that they possessed upon bringing their land into such a state of cultivation as would enable it to bear taxation. If they thought they were to get on in this country just by selling the land, without getting the land into high cultivation, they would find they were mistaken. To return to his former argument: What would those who advanced money to them think of their conduct? He must say he was doubtful himself as to how a four million loan would be received on the English money market. He knew such a loan was much larger than anything anticipated there. He

had heard the Crown Agents, among others, say that it would be very difficult to float even a two million loan; and he thought they would require to act in such a way as would inspire confidence on the other side of the world.

The Hon. Mr. CHAMBERLIN said this question was of so much importance that it was not right to give a silent vote upon it. He would certainly vote against the second reading of the Bill. This appeared to be a fight between the Timaruites and the Milfordites. He was neither for Timaru nor Milford; nor was he for the endowmentites. He did not believe in endowing harbours and railways as they were in the habit of doing. As he had previously said, the proper course was for the General Government to take the whole of those works in hand. Having once committed themselves to making and working the railways, they should adopt the same system with the harbours. He thought these harbours were somewhat in the same position as planets and satellites. For instance, they had the Bluff Harbour, which he might call a harbour of some importance, with its little satellite of Riverton. Then there was Port Chalmers, with its satellite, Waikouaiti; and Oamaru, with its satellite, Kakanui. Now they had the rising planet of Timaru, with its satellite, which was now before them, but which he hoped would never shine. He thought the Government should take control of those planets and satellites, and should not consent to their being in the hands of private members. The Hon. Mr. Buckley was a Milfordite, and was opposed to the spending of money at Timaru because it would be throwing money into the sea. Now, he thought the same remark applied to Milford, because, if money were spent there, he believed it would be washed away. He did not see the slightest necessity for these harbours along the coast when they had a railway running along the same coast, for he was convinced that grain and wool could very profitably be conveyed by rail. He believed there was an endowment proposed for Waikato Harbour. Although he came from the Province of Auckland he would oppose that proposal as strongly as any other proposal. The Waikato was connected by means of a railway with Auckland, and all the produce could very well be sent by rail. He was surprised at the action taken by the representative of the Government on the Timaru Bill. He believed that, personally, the Colonial Secretary objected to the endowment of harbours, and he was very much astonished to find that when the vote was taken upon the Timaru Bill the honorable gentleman absented himself. The Government were evidently in a fix. They supported these Bills for the purpose of gaining political support. He was sorry to say anything against the Government, because he believed they were doing their best for the country. But he was sorry to see the way they were going to work. He thought they would only get themselves into a mess, and would lose strength instead of gaining support. They should appeal to the country rather than yield to such pressure.

The Hon. Colonel WHITMORE thought the Hon. Dr. Pollen in his remarks was very severe

upon the Council, and a little tender towards himself. The honorable gentleman blamed the Council for their half-heartedness and indifference to the public weal, but he did not say much about his own course in the matter. He seemed to think that he had done enough when he raised his hands in despair for the colony. Now, if the honorable gentleman had but been really whole-hearted himself, he would have done something like what he (Colonel Whitmore) had done last year. He would have stuck to those proposals from the first to the last. If disappointed about one, he had stuck to the rest, and followed them up like a sleuth-hound until they were done to death. The honorable gentleman was a power in the Council, yet he satisfied himself with following the Government to the lobby. Last year, when their positions were reversed, the honorable gentleman did not find him (Colonel Whitmore) following him into the lobby; he had taken leave to think and act for himself. And what had been done by the Council last year? It had referred these matters to the Waste Lands Committee, with the exception of a few of the more monstrous of the demands, and, in that Committee, honorable gentlemen, with full access to plans and to all available information, went into the different cases; and the report in many cases, though not in that of Timaru, was that there was not sufficient information to allow of judging what should be done. In the case of Timaru they came to the conclusion that to go on with such a scheme would be really to throw money into the sea. He therefore thought that this Bill should go to the Waste Lands Committee for inquiry, for probably the Waste Lands Committee might be satisfied that this was a harbour which could be made, in which case a harbour would be secured for that coast at half the cost originally estimated. The honorable gentleman called attention to the fact that he (Colonel Whitmore) walked into the lobby when the last division came on. Well, the Government of which he was a member supported the Bill in another place, and he had no reason to deny that, this not being a Ministerial question, it was not a measure which he felt bound to support. But there were decencies in political life, and it would scarcely have been decent in him to have voted against a Bill which his colleagues in another place had voted for. He entirely differed from his honorable friend opposite, that it was either right or proper for the Government to take entire responsibility for every one of these Bills. It was not possible, and to prove that it was not possible he might refer to the history of the recent past. The honorable gentleman would remember that Sir Julius Vogel, with a majority of twenty at his back, never dared to oppose the provincial borrowing Bills; and it was left to independent individuals in the Council to take a stand, and to persevere in the course they took, notwithstanding that in another place they were told that they were to be done away with; that they were tenants and not landlords; and that many other hard names were bestowed on them. He and others did their duty then, though the Government, powerful in the Coun-

*Hon. Colonel Whitmore*

cil—represented not by a mere tyro in leading the Council, but by two gentlemen who, with very great respect, he might term “old stagers” in politics—would not attempt the responsibility of dealing with the Bills. The same thing might have been observed last session. Did they then see that the Government took the responsibility of dealing with and opposing these Bills? Nothing of the sort. They supported every one of them. They did not make Ministerial questions of them. Very much the same thing occurred in respect of railways under the Public Works policy. The fact was that, while parties were so evenly balanced, and when the tone of political feeling was such as it was in the representative Chamber just now, it was quite impossible for a Government to be responsible in every single instance of this kind. There were certain cases in which a Government must assert its position; but that was not possible in all cases. No doubt a very important principle was affected by the Bill, but gentlemen must look into the history of the colony for a good many years past, and they would see that in analogous cases the Government had not taken that firm sort of stand which it was very easy for gentlemen who had not the responsibility of office to say they should take. But when the Council was told by an honorable gentleman that he held strong opinions, and yet saw him, when an opportunity occurred of expressing his opinion, repairing to the lobby, it was difficult to understand him; and he (Colonel Whitmore) did not think the honorable gentleman's conduct in this matter contrasted favourably with his (Colonel Whitmore's) conduct. The remarks of the Hon. Sir F. Dillon Bell reminded him of something he heard when he was a young subaltern. He recollected, upon one of those occasions when it was usual to give soldiers a chance of seeing a live general once in six months, hearing an old soldier, after looking at the general for some time, say, “I don't think much of him.” He (Colonel Whitmore) asked why, and the soldier replied, “The old fellow can't find fault, and I don't think much of him, for any fool can find fault.” The honorable gentleman would have suited the old soldier, for he could find fault and always did find fault. The honorable gentleman must laugh very heartily to himself, because he must know that the course the Government were taking was just such a course as the honorable gentleman himself would have taken were he again a member of the Government. He did not think there was any necessity for laying down a cast-iron rule as to the course the Government should pursue in such cases. The Council would do what it chose; and what it chose to do, he had no doubt whatever, would be the best. Recent events had shown the country that it could trust the good sense and fairness of the Council, and had shown that it could rely upon the courage of honorable gentlemen in this branch of the Legislature to do their duty whatever might come of it; and he felt sure that throughout the country there had been, more than once during the last few years, a strong feeling amongst the people that it was

a very fortunate thing that the country had a Legislative Council.

The Hon. Mr. HART remarked that, after all that had been just said about the Council and about the recent experience of this colony with regard to the endowment of the various Harbour Boards and other matters of that kind, the colony was placed in a different position by the declaration of the Colonial Treasurer in his Financial Statement that the Land Fund must be made colonial revenue, subject to the obligations which the colony had undertaken in respect to the cost of administration, the cost of surveys, interest on provincial loans, and so forth—in a very different position from that which it previously occupied. Certainly there was an intention to localize 20 per cent. for the purpose of expending it locally on public works within the respective districts; but that was the only reservation, and there was this difficulty: that the Government had declared that the time had arrived when the Land Fund should belong to the whole colony. That was a very different position of affairs from that which had obtained previously; and he would like to ask this: With what consistency could the Government that made such a proposition, and held that it had claims to support on account of making the Land Fund colonial revenue, view with indifference the abstraction from the land of reserves amounting to 1,700,000 acres, to be localized and devoted to purely local objects? Was it consistent to do that? and were the circumstances of to-day the same as those referred to in past times by the Colonial Secretary? Could it be considered consistent on the part of the Government, it having declared that it would make the Land Fund colonial revenue and make it applicable to the public debts of the colony, that it should consent to 1,700,000 acres of land—he might say, practically the whole of the available land in the colony of an agricultural character—being so localized and locally applied, and then go into the London money-market and claim consideration, when raising the four million loan, for the fact that the ability of the colony to meet its indebtedness had been increased by generalization of the Land Fund? He put it to the Council, and asked their serious consideration to the question, whether they should not either put a stop to the localization of the land or refuse to pass the Loan Bill. If they meant to make this land available for the public debts of the colony and for the public funds of the colony, this localization must be prevented; otherwise they must tell the people at Home that, while the Government were holding it out to the colony and to the world that the Land Fund was colonial revenue, the land had actually been appropriated to local objects. The 20 per cent. could not be taken back from the harbour trusts, nor from the railways, and yet, as evidence was daily given before the Railways Committee, it came out that the whole of the land in the colony was being swallowed up by these reservations. The sooner the colony knew this fact the better, and those from whom the Government claimed support on account of their Land Fund proposals would discover how the matter really stood. Forty years

ago, when a youngster, he had the opportunity of observing a little game played on the racecourse. It was a simple little game. The operator had before him a small table, and upon that table there were three thimbles, and under one of these thimbles was supposed to be a pea: he manipulated the thimbles and the pea, and when a victim was induced to bet with him, and lifted up the thimble under which the pea was supposed to be, the pea was to be found under none of the thimbles, but a confederate lifted up one of the thimbles and said, "There is the pea," dropping one at the same time. He would ask, where was the difference in principle between the action of the Government of the colony in claiming support for making the Land Fund colonial revenue, while actually agreeing to measures which were localizing the application of every pound, and the action of the "thimble-rigger," who knew there was no pea under the thimble?

The Hon. Mr. HALL agreed with the honorable gentleman who had just spoken in this: that neither this nor any other Government should view proposals of such large importance as those which were being laid before the Council in reference to land reservations with indifference. He thought that was a sound doctrine, but he could not go with the honorable gentleman in some of his other remarks. He (Mr. Hall) considered that the land of the colony should be used for the purpose of developing the resources of the colony; and if the honorable gentleman's interpretation of the Financial Statement of the present Colonial Treasurer was correct, and the proposal of the Colonial Treasurer was that the proceeds of the land of the colony were to be devoted only to paying the colonial debts, he could only say that it would be a disastrous policy for the colony. So far as the development of the resources of the colony and its real progress was concerned, we should be in a condition of utter stagnation, a state of things which would be more injurious to ourselves and to the public creditor than any other policy he had heard of. It had been said that the Land Fund was not the property of any particular set of people. Quite true; nobody ever said it was. It was rather, so to speak, the property of the land from whence it was derived. Whatever you took from the land, according to sound political economy, you should return to the land. If the Colonial Treasurer took the proceeds of the land and simply applied it to the uses of the consolidated revenue to pay current expenses, he would be following out a mistaken policy, and would impoverish instead of enriching the colony. Therefore he could not agree with his honorable friend. His honorable friend Mr. Robinson said this money, if expended, would be thrown into the sea. That was a matter of opinion. He (Mr. Hall) knew a little about the matter, perhaps as much as his honorable friend, but he would not venture to say whether that was or was not likely to be the case. He was not in a position to give a definite opinion; and when people in the neighbourhood were prepared to spend their money on the project, and were in earnest, it was not treating their large interests with fair considera-



tion to make such a remark as that the money would be thrown into the sea. The Hon. the Colonial Secretary had made a remark he should like to correct. The honorable gentleman said that the Waste Lands Committee of last year came to the conclusion that to make the Timaru Harbour as proposed would simply be to throw so much money into the sea. He (Mr. Hall) denied that statement. It was entirely and utterly unfounded. The Committee came to no such conclusion.

The Hon. Colonel WHITMORE.—Look at the evidence of Mr. Carruthers.

The Hon. Mr. HALL said his honorable friend might himself have come to a conclusion on the matter, and other individuals might have come to a conclusion, but that was not the conclusion of the Committee. Mr. Carruthers had given his reasons for doubting the success of the scheme, but he very properly added that he did not set up his opinion against that of Sir John Coode, a man who occupied the highest possible position in this branch of his profession. What the Committee said was this: that the success of the scheme was not clearly demonstrated, and they were not so satisfied of its success as they wished to be; and that, therefore, the work ought not to be gone on with until further information was obtained. That was a very different thing from what the honorable member the Colonial Secretary had said. His assertion was one of those offhand statements which the Colonial Secretary was so ready to make.

The Hon. Colonel WHITMORE.—This is what Mr. Carruthers says:—

"In the event of this work being decided upon, would it not be expedient, previous to the commencement of the works, to obtain further professional advice as to the feasibility of the proposed works, reference being had to the peculiar circumstances of Timaru?—I consider the chances of failure so great, that I think the works should not be begun without consulting some other engineer; and I think some one well acquainted with Timaru should be sent to give information to such engineer as to the peculiarities of the locality. I would even recommend that Sir John Coode be invited to visit Timaru."

The Hon. Mr. HALL.—Precisely. Did that mean that that sum of money would be thrown into the sea? Why, it was the best possible contradiction of the statement of the Colonial Secretary. With regard to the Milford Harbour scheme, he might say this: He had introduced the Timaru Bill, and he felt that it would be unreasonable to have two harbours so close to each other on the same coast; but at the same time he thought it only fair that, where there were two proposals of this kind brought forward, both should be brought before the Council and inquired into, and for that reason he should like to see both Bills read a second time, and sent to the Waste Lands Committee.

The Hon. Mr. WIGLEY, in replying, said that several honorable gentlemen who had spoken had seemed to recognize only one principle in the Bill, whereas there were two: it not only gave an endowment, but it placed the settlers in the

Hon. Mr. Hall

neighbourhood in a position to form a Harbour Board. He was sorry that the Hon. Mr. Robinson had expressed himself so decidedly against this measure, because all his remarks appeared to be based upon conjecture. Many honorable gentlemen had refused to vote on the Timaru Bill because £100,000 had already been spent on the harbour and they were unwilling to see more spent. That objection could not apply to this Bill, and he hoped the Council would not burke his infant in its early days. Let it be brought into the land, and he was sure that in time it would become the hardier child of the two.

Question put, "That the word 'now' stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	10
Noes	...	...	...	...	15
Majority against ...					5

#### AYES.

Captain Baillie,	Mr. Holmes,
Colonel Brett,	Mr. Miller,
Mr. Buckley,	Mr. Peter,
Captain Fraser,	Colonel Whitmore,
Mr. Hall,	Mr. Wigley.

#### NOES.

Sir F. Dillon Bell,	Mr. Menzies,
Mr. Chamberlin,	Mr. Paterson,
Mr. Edwards,	Mr. Pharazyn,
Dr. Grace,	Major Richmond, O.B.,
Mr. Hart,	Mr. Robinson,
Lieut.-Colonel Kenny,	Mr. Russell,
Mr. Lahmann,	Mr. Williamson.
Mr. Mantell,	

The amendment was consequently carried, and the Bill ordered to be read a second time that day three months.

#### EDUCATION BILL.

The Council proceeded to the consideration of the following reasons assigned by the House of Representatives for disagreeing to the amendments made by the Council in clauses 8, 63, and 83: "1. That the provisions of section 8 are necessary to secure the distribution of the moneys voted by Parliament among the different Education Boards according to average daily attendance, and that without such provision such moneys would be at the absolute disposal of the Ministry of the day. 2. That in the 63rd section the provision for holding the annual meeting of householders on the fourth Monday in January is more convenient than that fixing the first Monday for that purpose. 3. That, with reference to section 83, the general policy of the Bill is to leave religious education to the several denominations; and that provisions existed in the Act, without the amended subsection 4, for allowing the use of the school buildings out of school hours for any purposes, including that of religious teaching, which the Committee might approve."

The Hon. Colonel WHITMORE moved, That the Council doth not insist upon its amendments.

It would be perceived that the House of Representatives had agreed with a great many of the Council's amendments in the Education Bill. It had only disagreed with amendments which involved three principles. With regard to clause 8, he apprehended that the Council would have no difficulty in deciding to withdraw its amendment. The question of the capitation clauses was tried in another place, where there seemed to have been the utmost desire to meet the wishes of the Council, but it was thrown out by a majority of 32 to 16. Honorable gentlemen would see that, in the face of that, there was very little hope of obtaining the concession they wished with regard to taxation. Therefore they could see no difficulty in reinserting the appropriation clause, because it was not, in a proper sense, an appropriation clause at all. Without that clause it was quite in the power of the Government to spend the money appropriated on the Estimates for education, and the only difference in the putting in or keeping out of this clause was, that unless it were inserted there would be no obligation on the Government to pay the money for education on the basis of the average daily attendance. Clause 63 related to the date for the election of School Committees, and the other House thought that the first Monday in January, which was substituted by the Council for the fourth Monday, was an inconvenient date, as it would sometimes fall on New Year's Day, and would always occur at holiday time. The next amendment with which the House of Representatives disagreed was in the 83rd clause, and referred to the reading of the Lord's Prayer and to the use of school buildings for religious purposes. The other branch of the Legislature had taken very strong ground upon this question, and seemed to be determined to enforce the secular system of education. He would have preferred, for his own part, to have seen some little recognition of duties other than those of an everyday business, if it had been possible. He had never, however, been very strongly in favour of the reading of the Lord's Prayer, and if the question had come to a division he would probably have voted against it, on the ground that he thought it would become a mere form, and would lose a great deal of significance to the juvenile mind. But the clause suggested by the Hon. Mr. Acland, he thought, provided for the only kind of religious instruction to which he had hoped the other branch of the Legislature would agree, as it was quite evident that the object of the whole Bill and the action of the House of Representatives had been to keep the State education strictly secular. There had been a disposition on the part of the other House to meet the Council more than half-way in all their amendments this session; and, as in regard to this point there was very little probability of the members of the other branch of the Legislature being persuaded to adopt the view of the Council, he did not think any useful object would be gained by a Conference, while time might be lost. He would therefore move, That the Council doth not insist upon its amendments.

The Hon. Mr. HALL thought the Council

should insist upon its amendments. He did not mean by that that they were to sacrifice the Bill rather than make any concession, but he would oppose the motion of his honorable friend under the strong conviction that it was their duty to attempt to secure some part of their amendments, and under a firm belief that such an attempt would be successful. He felt very strongly upon the religious clause. He could not make up his mind to be a party to the exclusion of any reference whatever to religion in the schools in which the bulk of the children of the colony were to be trained, and nothing but absolute necessity would induce him to assent to such a proposal.

The Hon. Mr. MANTELL, being desirous that the Bill should pass into law, would vote for the withdrawal of the Council's amendments, for a far more important thing than the carrying of any of these amendments would be the passing of an education law for the whole colony. Whatever laws they carried during this session were sure to be offered for amendment during the ensuing session, and this among the others. Let them proceed by degrees. They would have made a great stride in advance if they obtained an education law for the colony; and let them bring it gradually as near as they could to common sense and justice to all classes.

The Hon. Dr. POLLEN entirely agreed with the observations of the last speaker, and would record his vote with those who thought that the Council ought not to insist upon its amendments.

The Hon. Mr. HOLMES said, although he was in favour of the capitation clause, he felt it would be better, under present circumstances, to agree with the other branch of the Legislature, and not insist upon their amendments. He felt satisfied that next session the House of Representatives would be as anxious to introduce a capitation clause as it was now to oppose it, and therefore he was reconciled to the Bill passing in its present form.

Question put, "That the Council doth not insist upon its amendments in the Education Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	13
Noes	...	...	...	...	10
Majority for	...	...	...	...	3

#### AYES.

Sir F. Dillon Bell,	Mr. Mantell,
Colonel Brett,	Dr. Pollen,
Mr. Chamberlin,	Mr. Robinson,
Mr. Edwards,	Mr. Russell,
Captain Fraser,	Colonel Whitmore,
Mr. Holmes,	Mr. Williamson.
Mr. Lahmann,	

#### NOES.

Captain Baillie,	Mr. Menzies,
Mr. Buckley,	Mr. Miller,
Mr. Hall,	Mr. Paterson,
Mr. Hart,	Mr. Peter,
Lieut.-Colonel Kenny,	Major Richmond, C.B.

The motion was consequently agreed to.

**MANAWATU LAND ORDERS BILL.**

The Council proceeded to consider the reasons assigned by the House of Representatives for disagreeing to the amendments made by the Council in clauses 4 and 12.

The Hon. Colonel WHITMORE moved, That the Council doth not insist upon its amendments in the Bill.

Question put, "That the Council doth not insist upon its amendments;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	9
Majority for	...	...	...	...	2

**AYES.**

Colonel Brett,	Major Richmond, C.B.,
Mr. Edwards,	Mr. Robinson,
Captain Fraser,	Mr. Russell,
Mr. Hart,	Colonel Whitmore,
Mr. Lahmann,	Mr. Williamson.
Mr. Peter,	

**NOES.**

Captain Baillie,	Mr. Mantell,
Sir F. Dillon Bell,	Mr. Menzies,
Mr. Hall,	Mr. Miller,
Mr. Holmes,	Dr. Pollen.
Lieut.-Colonel Kenny,	

The motion was consequently agreed to.

The Council adjourned at five minutes to eleven o'clock p.m.

**HOUSE OF REPRESENTATIVES.**

*Monday, 26th November, 1877.*

First Readings—Second Reading—Third Readings—Bill Discharged—Food and Drugs Bill—South Rakai Road Board Bill No. 2—Privilege—Kaikorai Valley Railway—Financial Statement—Supply.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

**FIRST READINGS.**

Law Practitioners Bill, Civil List Bill No. 2, Employment of Females Bill, Queenstown Waterworks Bill.

**SECOND READING.**

Oamaru Harbour Board Bill.

**THIRD READINGS.**

Mining Companies Bill, Food and Drugs Bill, Public Libraries Bill, Oamaru Harbour Bill, Westland and Nelson Coal Fields Bill.

**BILL DISCHARGED.**

Registration of Dogs Bill.

**FOOD AND DRUGS BILL.**

Mr. GISBORNE, in moving the second reading of this Bill, said he had been requested to take charge of it by the honorable member for

*Hon. Mr. Holmes*

Coleridge, who had been engaged with him in its preparation. He was also indebted to the honorable member for Hokitika (Mr. Barff) for assistance with regard to the Bill. He might say at once that the present law was quite insufficient to prevent the adulteration of food and drugs, and, by reason of the recent constitutional changes, had been rendered inapplicable to the present circumstances of the colony. The object of the Bill was to prevent the adulteration of food and drugs, and the sale or exhibition for sale of adulterated or unwholesome food or drugs of any kind. It was founded on the English Act of 1872. There was a later English Act, passed in 1875, but it was of a more complex character, and was not so applicable to this colony. The Act of 1872 was for some time not so effective as it was desired to be, but it was rendered more effective by a judicial interpretation given to one of the clauses, and if this Bill were passed the same interpretation, he presumed, would be given to its clauses. In addition to providing penalties for adulteration, it provided that the analysts who were to be appointed under the Act should report annually. It might be said that the cost of appointing analysts would be great, but he intended to propose a clause in Committee providing that the Act should only be brought into operation, by Proclamation, in those districts where such an Act was desired. There was already a Colonial Analyst, and there were other analysts with whom arrangements might be made for the analysis of articles submitted to them. He did not think any reasonable cost would be objected to when it was considered that the Act was designed specially to protect the public. In the latest edition of a work by Dr. Hassall, an eminent authority on the question of adulteration, the subject of its importance was thus ably summed up:—

"The subject of adulteration is undoubtedly one of such high importance that it may fairly engage the earnest thoughts of the financier, the sanitarian, and the moralist.

"The financier, because it involves to a large extent considerations of profit and loss: profit to the manufacturer and seller of adulterated articles, and loss to the consumer and the revenue.

"The sanitarian, because some of the articles employed in adulteration are of an exceedingly injurious character, and calculated to affect materially the public health.

"And the moralist, since the practice of adulteration involves deception, and even fraud.

"Adulteration is, therefore, a great national question, closely affecting the pocket of the consumer, the revenue, and the health and morals of the people."

In order to show how prevalent adulteration was in the United Kingdom—and of course, as we imported largely from the Home country, adulterated articles were likely to find their way into consumption here—he would read another extract from Dr. Hassall's work, which was as follows:—

"The following particulars will serve to convey some idea of the great prevalence of adulteration: During the course of the six years from 1850

to 1856 the author examined over 3,000 samples of the principal articles of consumption, as well as many drugs, and the one great result of this extended experience went to prove that during those years there were few articles of consumption the adulteration of which was practicable, and which, at the same time, could be rendered profitable, which were not extensively subjected to adulteration.

"Since the period referred to he has analyzed some thousands of additional samples, with the gratifying result that adulteration does not now prevail to anything like its former extent, this result being due to several causes—to the exposures made for so long a period in the *Lancet*; to the increased facilities for detecting adulteration; to the several inquiries into the subject by Parliamentary Committees; and to the Acts which have been passed dealing with the subject."

He hoped that the House would consent to the Bill being passed. The Bill had been submitted to the Government, who had made a few alterations, but those alterations were for the most part of a technical character, and he was willing to adopt them. He believed that if this Act were passed it would place in the hands of the Government the means of effecting a great social reform, especially in regard to the vice of intemperance. He thought the honorable member for Wanganui (Mr. Fox) would admit that drunkenness would be very much decreased if they could stop the adulteration of liquor. With those few remarks, he would submit the Bill for the consideration of the House.

Mr. FOX did not agree with the honorable member who last spoke when he said that the adulteration of liquor was one of the chief causes of drunkenness. There was great difference of opinion on the adulteration question. The honorable member for Wellington City (Mr. Travers), a few years ago, moved for a Committee to inquire into the question of adulteration of liquor, and the result was that it was found that there was no great amount of adulteration practised in the hotels in this city. It was the same at Home. Dr. Richardson, who was a high authority on sanitary matters, had procured samples of the various liquors sold, and he found that the only adulteration that took place was by the addition of water and salt and a little capsicum to the drink. Mr. James Greenwood, also, had made experiments in the same direction. He visited some of the lowest publichouses in London, and all he ascertained was that water and salt were added to the liquor. It was said that the adulteration did not take place in the distilleries and breweries, but in the publichouses. He did not commit himself to either opinion. He did not agree with the honorable gentleman who spoke last, that if adulteration were stopped the number of drunkards would be diminished. He held that it was the alcohol, and not the adulteration, that made the drunkards. But though he had no faith in the honorable member's Bill as a remedy for drunkenness, it might be useful in the matter of food, and he would cordially support it on that ground.

Mr. BARFF thought it was due to himself, as

he had taken a considerable interest in the matter, that he should contradict some of the statements which had been made by the last speaker. The honorable gentleman had said that, when an attempt was made some years ago to ascertain whether the adulteration of liquor was carried on to any great extent in Wellington, it was found that there was very little adulteration carried on. He (Mr. Barff) was thoroughly acquainted with the facts, and he would state them. In the year 1870 the present honorable member for Wellington City (Mr. Travers) moved for a Committee to consider the whole matter, and instructions were given by that Committee for the production of samples of spirituous liquors, wines, and beer, to be obtained from the various publichouses in this city. These samples were obtained, and submitted to the Government Analyst. The result of the analysis was communicated to the Committee. It was a singular fact that, out of two hundred or three hundred samples of liquor analyzed, there was only one which was proved not to be adulterated. That was, he believed, a sample of Dunedin beer. Then an honorable member of this House announced his intention to deliver a temperance address to the people of Wellington; and the question arose, What did that honorable gentleman himself drink? It was found that he drank either lemonade, ginger-beer, or sodawater, and Dr. Hector's department reported that there was more poison in those drinks than in brandy. In conclusion, he hoped that the Bill would be allowed to pass through all its stages.

Bill read a second time, considered in Committee, and read a third time.

#### SOUTH RAKAIA ROAD BOARD BILL No. 2.

##### ADJOURNED DEBATE.

Mr. MURRAY-AYNSLEY said that, when the debate was interrupted on the last occasion (the 23rd October) that this Bill was before the House, he stated that there were two meetings held in the district, one of twenty ratepayers and the other of twelve, which showed that the feeling of the ratepayers was against the Bill. He did not desire to discuss the subject at any length, but he felt bound to refer to a misapprehension that existed as to the amount that would be available for distribution between the two Road Boards if No. 1 Bill were passed. Several members seemed to be under the impression that the Mount Hutt District would get £12,000 and the other only £750, and that statement was said to have been made on the authority of the clerk of the South Rakaia Road Board. In order to ascertain whether that statement was correct or not, he telegraphed to the clerk of the late South Rakaia Road Board, and received the following reply, which was dated the 25th October:—

"Ashburton, 25th October, 1877.

"The only figures that I made a statement on were the amount of money spent on the upper and lower sides of the railway line, as shown by the books."

"A. MACKIE."

That showed that the clerk of the Road Board could not have made the statement that was given in his name—that the lower part would

receive only £750 while the other received £12,000. The fact was, that the lower part would receive about £8,000 as against £4,000.

The House went into Committee on the Bill.

Mr. WASON moved, That the Chairman do leave the chair.

Question put, "That the Chairman do leave the chair;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	24
Noes	...	...	...	...	24

#### AYES.

Major Atkinson,  
Mr. Beetham,  
Mr. Bowen,  
Mr. Burns,  
Mr. Gibbs,  
Dr. Henry,  
Mr. Hunter,  
Mr. Kennedy,  
Mr. Lumsden,  
Mr. Macfarlane,  
Mr. Manders,  
Mr. McLean,  
Mr. Moorhouse,

Mr. Ormond,  
Mr. Reid,  
Mr. Richmond,  
Mr. Rowe,  
Captain Russell,  
Mr. Seymour,  
Mr. Sutton,  
Mr. Williams,  
Mr. Woolcock.

#### Tellers.

Mr. Murray-Aynsley,  
Mr. Wason.

#### NOES.

Mr. Ballance,  
Mr. Barff,  
Mr. J. C. Brown,  
Mr. De Lautour,  
Mr. Dignan,  
Mr. Fisher,  
Sir G. Grey,  
Mr. Hamlin,  
Mr. Hodgkinson,  
Mr. Joyce,  
Mr. Macandrew,  
Mr. Montgomery,  
Mr. Murray,

Mr. Nahe,  
Mr. Reynolds,  
Mr. Richardson,  
Mr. Sheehan,  
Mr. Shrimski,  
Mr. Takamoana,  
Mr. Thomson,  
Mr. Tole,  
Mr. W. Wood.

#### Tellers.

Mr. J. E. Brown,  
Mr. Rees.

#### PAIRS.

##### For.

Mr. Brandon,  
Mr. Button,  
Mr. Carrington,  
Mr. Cox,  
Mr. Fox,  
Mr. Harper,  
Mr. Johnston,  
Captain Kenny,  
Mr. Sharp,  
Mr. Whitaker.

##### Against.

Mr. Stevens,  
Mr. Lusk,  
Mr. Fitzroy,  
Mr. Seaton,  
Mr. Gisborne,  
Mr. Teschemaker,  
Mr. Rolleston,  
Mr. Bryce,  
Mr. Travers,  
Mr. Larnach.

The CHAIRMAN said he did not feel disposed to take upon himself the responsibility of rejecting the Bill, and would therefore record his vote with the "Noes," in order to give the Committee further time to consider it.

Progress was reported, and leave given to sit again.

#### PRIVILEGE.

Mr. STOUT.—Referring to what took place the other afternoon with regard to the report of a speech made by Dr. Wallis in Auckland, I may say that I have received the following telegram from that honorable gentleman: "I pointedly deny having called members in Wellington 'rogues and trimmers.'"

Mr. Murray-Aynsley

#### KAIKORAI VALLEY RAILWAY.

On the motion for going into Committee of Supply,

Mr. BURNS moved, That the Government be requested to make a flying survey of a line of railway from the south end of the Look-out Point Tunnel on the Dunedin and Clutha Railway up the Kaikorai Valley, to arrange with the landed proprietors and occupiers of the land for permission to construct the line, and lay full particulars as to cost of construction, plans, &c., before the House at an early date next session. He had addressed the House upon this subject some months ago, and withdrew his resolution at that time on the distinct understanding that he should be entitled to bring it forward again if he thought fit. He was a great advocate for completing the railways in all directions, and his present motion was for the purpose of carrying out that view. He did not ask for much in the meantime, as he merely requested the Government to have a survey made of the proposed line, and to arrange with the proprietors to allow of the railway being taken through their lands. The present was a very favourable time for carrying out the work, because property was fast rising in value in the locality, and if the work were put off for any length of time a much larger amount would have to be expended on it. He might state that this district was getting very thickly populated, and he was perfectly sure that the line would pay handsomely. The district was separated from Dunedin by an immense mountain, and there was no proper access to it except over that mountain, which was very steep. Many plans had been tried to get a road over it, but they had all failed. It would, however, be very easy to carry a line of railway up the Kaikorai Valley in the way he suggested—namely, to start from the Dunedin and Clutha line a little beyond Caversham, and then run up the valley for about three miles. This railway, like many other branch railways, would be of great service also in making the main line pay, by acting as a feeder to it. Very little money would be required to do what he now proposed. An engineer or surveyor would not take long to go over the line, which was very level, and the district certainly had a fair claim to ask the Government to make the survey. That was all he asked for now, and when the survey was completed and plans and estimates made the Government could come down next session and propose a vote for the construction of the line. Something ought to be done for the district, which had had very little public money expended on it, the settlers having taxed themselves for many years to make such roads as they had. If there were better access to Dunedin by rail great help would be given to many industries that had been started in the district. There were, for instance, a wool factory, several tanneries, and other works of various descriptions there, and a great many more would arise when the railway was once open. He might state that at the end of the line there was now a large cattle market being erected, which of itself would be a source of revenue to the country. He thought the proposal was reason-

able, and hoped the Government would support it. He did not ask them to set about the work immediately, but only to have the survey completed by next session, so that they could then lay plans and estimates before the House, when, he had no doubt, the House would agree to the construction of the line.

Mr. MACANDREW quite agreed with all the honorable gentleman had said in regard to the importance of this line; at the same time he did not think the Government could be called upon to undertake its construction. There would be no objection to having the survey made during the recess, but the line was one which might very easily be constructed under the provisions of the District Railways Bill.

Mr. STOUT hoped that, after the assurance given by the Minister for Lands, the honorable gentleman would withdraw his motion. If the District Railways Bill was to be of any good at all, this was just one of the lines to which it could be best applied. It would be impossible for the Government to complete the main lines if they were to be called upon to construct branch lines like this. He might say he thought it was a great mistake that the main line from Wai-kouaiti had not been brought down this valley, as it would have opened up a very fine country, and would have been constructed at much less expense. As it ran at present, it opened up no good land at all. This line could be constructed by the owners of property under the District Railways Bill. It was therefore unnecessary that the honorable gentleman should go on with the motion, and he hoped he would withdraw it.

Mr. REID approved of the suggestion of the Minister for Lands. The Government might make the survey, leaving it to a company to construct the line. Indeed, it was desirable that the Government should survey all lines to be constructed by companies under the District Railways Bill, or else they might find that the best route would not always be selected. A few large landowners might manage to get a line made in such a way as not to be so beneficial to the district as it might be to their private properties.

Sir R. DOUGLAS pointed out that there were many other surveys which might be made as well as this one. He believed that under the District Railways Bill, of which so much had been said, many parts of the colony which had received no benefit were likely to receive, if possible, much less benefit. Who was going to make lines through Government property where there were no lines at present? He looked upon that Bill as a perfect sham. It might be suited to the South Island, but it certainly was not suited to the North Island. If people of the North made any application of the kind they would be told, "Oh, you have the District Railways Bill. Why do you not take advantage of its provisions?" When the Public Works scheme was first submitted, lines were shown on the maps which had never been surveyed to this moment. Railway lines stood there to this day to show how the people of this colony were "done" by that scheme which induced them to agree to the large loans raised

by Sir Julius Vogel. The Government ought to look over those lines during the recess, and see if any of them were practicable. There were many parts of the colony where there was really good land, where a railway might pay, but where nobody could undertake it but the Government. He was no advocate for such railways as had been constructed in the South. He had never been there, but he knew that it was a mistake to run lines along the coast, where they were sure to meet with steamboat competition. The railway lines should go into the centre of the country, and that was what he would like to see in the North of Auckland. They had had a Railway Committee sitting, but so far as the North was concerned it had done little good. A report from a gentleman in a public office was placed before them, and he felt bound to say that it was the most absurd thing he had seen for a long time. He knew some part of the country well with which it dealt, and he was in a position to say that the report did not give a proper idea of that part of the country. It proposed to take the line through a part of the country through which it would be absurd to take it; and yet there was another route which passed over from twenty-two to thirty miles of level country. If there was such a line the Government should survey it. That would convince the people that the Government really meant to do something for them. He would strongly urge upon the Government to look into this question during the recess, and to instruct their engineers to survey these lines, more especially the northern ones. Perhaps he might be allowed a little of that latitude which was usually accorded on such occasions as this, to explain why he supported the Opposition. There were gentlemen on the opposite side of the House who were opposed to measures to which he was opposed himself, and he had many ideas in common with those gentlemen, but on the best method of carrying out certain broad political principles he differed entirely from them. Take the Native Land Bill introduced this year. That measure was certainly not to his liking, but it was not to his liking because it did not carry out the principles of free trade thoroughly. It did not treat the Natives as it treated the Europeans, and that was what they ought to do. Honorable gentlemen who knew anything of the Ngapuhis must know that for thirty years there had not been a quarrel with the Government in that part of the country. They must also know that there had never been a case in Court in which the Natives complained of the action of private land purchasers, but there had been cases in which they sorely complained of the action of the Government in land purchase transactions. Now, they formed a large section of the community. There were ten or twelve thousand of them, and those tribes more especially should, if necessary, have exceptional legislation extended to them. But what did he find on the opposite side of the House? Honorable gentlemen saying that the whole of the Native waste lands should be handed over to a Waste Lands Board. To do so would be to treat them as children. They were

to have no voice in the matter except to say that it should be sold. And it was to be sold in little parcels, in order to create a class of very small landed proprietors, without apparently any regard being had as to its adaptability for the purpose. Those were the principles of some honorable members on the other side of the House. He looked upon this as one of the grossest wrongs that could be inflicted, and that was one of the things which would keep him on the Opposition benches. But he had another greater reason, which he would illustrate by reference to the action of the Premier. That honorable gentleman had, during a long official life, been very well known to persons who studied colonial history. During all his life the honorable gentleman had struggled hard, honestly, he (Sir R. Douglas) believed, for what he called the rights of the people. But their ideas of what constituted the people were very different. The "people," according to his (Sir R. Douglas's) idea, were those who were bound to the country by strong ties, and were unable, in times of difficulty and danger, to leave it. He did not look upon men who could put their bag of tools upon their back and go elsewhere as the "people" of the country. He looked to the men who had bought land here, who had children growing up beside them, and to whom it meant ruin if the country came to ruin. Those were the "people" whose interests should be studied. Now he found the Premier going in for representation according to population. What did that mean? It practically meant this: that those persons of whom he had just spoken should be unrepresented. He held that there were three classes in the colony. There was the class he had the honor to represent, the class of which he had just spoken; there was the artisan class, who formed the mass of the population in the towns; and there was the moneyed class. Now, as he happened to belong to the first class, the essentially country settlers, he objected to being swamped by those of the second class; but, if the Premier's ideas of representation according to population were given effect to, the country members might as well remain at home, for they would have no chance in that House. He should therefore oppose any system of representation based upon population alone. He had risen merely to point out to the honorable gentlemen on the Government benches the reasons which caused him to act in opposition to them; but he would at the same time reply to the honorable member for Newton, who, on a former occasion, had said—

Mr. SPEAKER said the honorable gentleman must not refer specifically to a statement which was made in a previous debate.

Sir R. DOUGLAS would bow to Mr. Speaker's ruling, but nevertheless he would say that the remarks he had referred to were very annoying to him. He would only say that honorable gentlemen should always remember that there were two sides to a question, and that both should be taken into consideration.

Mr. J. E. BROWN understood that the Minister for Lands had promised that a survey of the line under consideration should be made.

*Sir R. Douglas*

He hoped that if a survey were made it would be only a flying survey. The cost of surveying lines of railway was very great, and he thought that, if the Government undertook to do that which the honorable member for the Taieri recommended—namely, to make surveys of all district railways—they would be pledging themselves to a large expenditure of money for the benefit of private companies. He held that the private companies should make their own surveys.

Mr. SHEEHAN said that there was always some reason for every speech that was made in the House, whether it was long or short, tiresome or to the point. The reason for the speech of the honorable member for Marsden seemed to be to explain why he was in opposition; but the Government did not want to know why that was the case. He hoped that no more time would be lost, but that the House would at once go into Committee of Supply. As he heard debate after debate on the financial question he became more mystified, and understood less of the question. After a three or four hours' discussion on the question in the House, he generally went away knowing less about it than ever. The Premier had not given any promise to deal with representation this session, but the Government would probably deal with it next session. In the meantime he would ask the House to proceed with the business.

Mr. REES would point out that if this motion were carried the Government would be pledged to make arrangements with the landowners. He hoped the motion would be negatived.

Mr. DE LAUTOUR was of opinion that it would be better to strike out all the words after the word "Valley." If the honorable gentleman would not withdraw the motion, he would be prepared to move an amendment to that effect.

Mr. BURNS did not wish that the Government should spend a lot of money on these surveys. All that he wanted was that the Government should get the right to run through the lands of private persons, so that, if necessary, they could make lines through such properties. His only object was to get a survey made, with the view of ascertaining whether it would be advisable to make lines through the properties of private persons. He could not adopt the suggestion of the honorable member for Mount Ida.

Motion negatived.

#### FINANCIAL STATEMENT.

On the motion for going into Committee of Supply,

Mr. MURRAY said,—Sir, I wish to make a few remarks on the financial proposals of the Government. I do not propose to offer any apology for the policy which has been announced by the Government. They are quite able to speak for themselves, and they have not thought fit to offer any apology whatever. I was rather surprised that the honorable member who is now leader of the Opposition should have been so injudicious as to come forward with a want-of-confidence motion before he heard the Statement of the present Colonial Treasurer. I was more

surprised still that that honorable gentleman should claim the support of honorable members—particularly the honorable member for Aron, the honorable member for Nelson City (Mr. Curtis), and the honorable member for Wellington City (Mr. Travers). I was also surprised that the honorable member for the Grey Valley (Mr. Woolcock), who had declared that the time had arrived when a change in the incidence of taxation was absolutely necessary, should be the staunch supporter of the late Government, which declared that the time had not arrived. I was surprised at the want of logic which the leader of the Opposition displayed when he showed that there was a deficiency of £240,000 by the Statement of the present Treasurer after absorbing the Land Fund. Well, that was surely a very grave commentary upon the management of the honorable gentleman himself. It proves that he left things in such a deplorable mess that there is now a deficiency of £240,000. He could not have seen that it would tell so strongly against himself. Now, Sir, what is the cause of that deficiency? The honorable gentleman has told us that there was ample means at the disposal of the country. Well, if that is the case, how is it that there is now a deficiency of £240,000? I find the revenue and expenditure, taking the late Colonial Treasurer's estimate, would be—

*Atkinson's Statement, 1877-78.*

Revenue—	£	£
Ordinary ... ..	1,635,710	
Incidental ... ..	27,000	
Land rents, licenses, &c. ... ..	147,525	
Railways ... ..	600,450	
		2,410,685
Goldfields ... ..		72,000
<b>Total of Revenue</b> ... ..		<b>£2,482,685</b>
<b>Expenditure—</b>		
Ordinary ... ..		2,183,783
Gold Fields ... ..		72,000
Crown lands administration, £22,348; miscellaneous, £16,150; total, £38,498, of which £28,498 charge against sales, and, say, against ordinary ... ..		10,000
Extra capitation under Education Act ... ..		20,000
Depreciation on railways, buildings, and insurance, say ... ..		72,000
Railway ordinary expenditure ... ..		434,143
<b>Total of Expenditure</b> ... ..		<b>£2,901,926</b>
Supplementary Estimates—Provincial liabilities, unauthorized, &c., proportion, recurrent, and yearly, say ... ..		188,560
Ordinary Expenditure ... ..		2,990,486
Ordinary Revenue ... ..		2,482,685
<b>Deficit</b> ... ..		<b>£507,801</b>

This deficit, however, the honorable member for Egmont reduces by not providing for railway depreciation, as above; by the unexpended balance of Treasury bills, which, by the mysterious process called "savings," converts a liability into an apparent surplus; and by confiscating £167,000 from the Land Fund of Canterbury and Otago as a moiety of arrears of interest on constructed railways. I will now take in the total receipts of the colony from the ordinary revenue and from land sales. He estimated the land sales at £743,000, and I have estimated them at £800,000; but I do not think that amount will be realized, con-

sidering the numerous and extensive endowments made this session, and if the Land Bill becomes law. More than half that amount was realized from land receipts in the Canterbury Province during the last quarter. The Colonial Treasurer has estimated the land sales at a very much higher amount.

RECEIPTS FROM ALL SOURCES.

*Estimated Revenue—Atkinson's Statement.*

Receipts, 1877-78—	£
Ordinary consolidated revenue ... ..	1,635,710
Railway ... ..	600,450
Land Fund, territorial—	
Rents, &c., £147,525; sales, say, £800,000 (Atkinson, £743,000); gold fields, £72,000 ... ..	1,019,525
	3,255,685
Arrears of railway interest—Canterbury, £38,000; Otago, £109,000 ... ..	167,000
	3,422,685
Surplus, 30th June, 1877 ... ..	£148,220
„ land sales ... ..	115,648
Balance of loan ... ..	45,888
	309,754
	<b>£3,732,439</b>

EXPENDITURE.

Estimated expenditure (Atkinson) ... ..	£
Crown Lands Department, £198,567; gold fields revenue, to Natives and Local Governments, £72,000; deficit for extra capitation, 10s., under Education Act, say, £20,000 ... ..	290,567
Railway, £434,143; depreciation, insurance, &c., say, £72,000 ... ..	506,143
	2,990,498
Supplementary ... ..	£151,685
Unauthorized ... ..	35,298
Provincial liabilities ... ..	681,044
	948,015
Estimated expenditure ... ..	3,833,508
Balances and estimated receipts ... ..	3,732,439
Deficit ... ..	£108,069

—besides £191,100 (page 9 of the Supplementary Estimates); or in all £297,169 required over and above balances and ordinary and extraordinary receipts.

I have now done with the Statement of the late Colonial Treasurer for the present, and will refer to the rival Statement of the present Colonial Treasurer. At page 12 of the Statement he gives the apparent surplus of consolidated revenue, 30th June, 1877, at £148,220. He estimates that the land revenue for the current year will amount to £1,100,000, or £150,000 higher than I have. Then there is a balance of £115,646 from land sales to 30th June, 1877, and a balance of loan, £45,888, or, in all, £245,974, which cannot be reasonably regarded as revenue for the year, and will leave only £73,909 as amount distributable to counties and Road Boards, instead of £533,663. It is difficult to arrive at an estimate of the land revenue, seeing that it is proposed by the Government to only impound the land revenue from the 1st January. I do not know how they can get sufficient land revenue for the remainder of the year, seeing that the land sales in Canterbury have been so very large last half-year, and are not likely to be so large again, unless they absorb the whole land revenue for the twelve months. I will now show what each province would enjoy by the generalization of the Land Fund, supposing that the Treasurer impounds, as



I fear will be needed, the whole from the 30th of June, instead of from the 31st of December, and taking the actual receipts of last year for our guidance:—

STATEMENT showing effect of Mr. LARNACH's proposal.

Auckland:—

£120,600 Estimated revenue.	
118,880 Charges.	
104 Subsidies 20 per cent. of Land Fund gross.	
118,984 Total charges.	
Less 531 Land Fund, 30th June, 1877.	
£118,453 Deficit to be made up by colony.	

Taranaki, Revenue received:—

Charges	£28,134	Land revenue	£13,686
20 per cent.	2,839	Total charges	31,673
	£31,673	Dr. to colony	£18,977

Wellington, Year's Revenue received to 30th August, 1877:

Charges	£28,636	Land revenue	£26,008
20 per cent.	5,801	Total charges	94,437
	£94,437	Dr. to colony	66,431

Hawke's Bay:—

Charges	£23,551	Land revenue	£10,467
20 per cent.	2,099	Total charges	25,650
	£25,650	Dr. to colony	£15,153

Nelson:—

Charges	£28,230	Land revenue	£6,766
20 per cent.	1,351	Total charges	29,581
	£29,581	Dr. to colony	£23,523

Marlborough:—

Charges	£16,630	Land revenue	£5,830
20 per cent.	1,166	Total charges	17,796
	£17,796	Dr. to colony	£11,968

Canterbury:—

Charges	£123,174	Land revenue	£288,347
20 per cent.	137,669	Total charges	260,873
	£260,873	Cr. by colony	£427,474

Westland:—

Charges	£31,904	Land revenue	£3,809
20 per cent.	761	Total charges	32,755
	£32,755	Dr. to colony	£28,946

Otago and Southland:—

<u>£296,100</u> Estimated revenue.			
<u>112,123</u> Old subsidies.			
<hr/>			
183,978 Charges.			
46,527 20 per cent. subsidies.			
<hr/>			
<u>239,505</u>			
<u>233,639</u> Actual revenue.			
<hr/>			
<u>£3,134</u>	Cr. by colony	...	<u>3,134</u>
<hr/>			
	Dr. to colony	<u>£281,968</u>	
	Cr. by colony		<u>£430,608</u>

Loss to Otago and Canterbury ... £430,608

Gain to other Provinces ... 281,968

Gain to the General Government ... £148,650

NOTE.—The Land Fund is quoted from the Return for Year ending 30th June, 1877. Paper, C.—1, 1877.

Mr. Murray

It will be seen that under the proposal Canterbury will receive £137,699, and give, over and above estimated charges, a sum of £427,474 to the consolidated revenue. These are the figures, which honorable members can refer to, and I am prepared to substantiate them. I do not believe that the proposal is altogether satisfactory to the country. The honorable member for Egmont proposed two ways of making up his deficit—by absorbing the land revenue, in an indirect, thieving way, and by the issue of Treasury bills.

Major ATKINSON.—No.

Mr. MURRAY.—The honorable member may say "No." There is no use in trying to convince the honorable member for Egmont, who will say "No" although he has the facts and official returns before him. I repeat, the honorable member for Egmont makes up the deficiency by proceeds of land sales and by Treasury bills. The Colonial Treasurer makes up his deficiency by selling the public estate. Neither of these proposals, I apprehend, has that character of stability which we should desire in our finance. I believe we must meet our difficulties in some more satisfactory way than by increasing our indebtedness or sacrificing our public estate. To a limited extent, no doubt, we shall require to make some sacrifice of land for revenue. It is impossible for the colony, drifting, as it has been for years, into difficulty, to meet its engagements without some encroachment on its public estate. Now, what I propose would be this: that we should take the whole of the rents and licences and make them colonial revenue; that we should put 40 per cent. of the land sales into the Consolidated Fund; that we should pay 30 per cent. gross to the local authorities, in accordance with clause 60 of the Waste Land Act, as proposed by the honorable member for Rangitikei (Mr. Ballance); and that we should put 30 per cent. gross to the Public Works Account, to meet the charges on railways and other public works connected therewith. I will endeavour to show how this would work out, taking the estimates of revenue as already stated:—

ESTIMATES—PROPOSAL No. 2.

Receipts—	£	£
Consolidated revenue (Atkinson) ...		1,635,710
Contribution from Land Fund—		
Sales, North Island, 40 p. cent., say	30,000	
Rents, &c., " all	1,000	
		31,000
Sales, Middle Island, 40 p. cent., say	300,000	
Rents, licences, &c., all, say	146,525	
		446,525
Gold fields revenue		75,000
		2,176,235
Railway receipts	600,450	
Deficit interest and depreciation account at 6 per cent., receipts in aid—		
30 p. cent. land sales, M. Island	228,000	
30 " " N. " "	15,000	
Deficit to be made up by contribution for arrears of interest by B. and C., or by taxation, or loan	24,393	
		864,843
Local bodies under clause 60, " Waste Lands Act, 1877"—		
30 p. cent., land sales, N. Island	15,000	
30 " " M. " "	228,000	
		243,000
		£2,290,078

Expenditure—	£	£
Ordinary ... ..	2,159,931	
Miscellaneous ... ..	33,862	
	<u>2,193,793</u>	
Less interest debited to Railway Account ... ..	358,700	1,835,093
Extra for education capitation, say	20,000	
Department of Crown Lands ...	198,567	
Gold fields revenue to local bodies	73,000	
	<u>290,567</u>	
Railway Account expenditure—		
Ordinary ... ..	434,143	
Interest and depreciation at 6 p. cent.—		
On £5,000,000, Middle Island	430,700	
On £2,178,955, North „		864,843
Local governing bodies—		
30 per cent. Land Fund under section 60, "Waste Lands Act, 1877"		
North Island ... ..	15,000	
Middle Island ... ..	235,000	
	<u>240,000</u>	
Surplus ... ..		49,585
		<u>£3,280,078</u>

There would still be a sum of £24,394 required to make up the deficiency in the Railway Account, of which Account I will furnish a statement:—

Dr.—Railway Account—	£	£
Receipts ordinary ... ..		600,450
Receipts in aid, 30 per cent., land sales	240,000	
Deficit, from part arrears of interest—		
Otago and Canterbury ... ..	24,393	
		<u>264,393</u>
Or, in future, deficit may be made good from income and property tax.		<u>£264,393</u>
Cr.—Railway Account—		
Expenditure, ordinary ... ..		434,143
Depreciation and interest, 6 per cent.—		
Middle Island, on £5,000,000		430,700
North „ on £2,178,955		
		<u>£264,843</u>

I will now refer to the ordinary and general expenditure under my proposal:—

ESTIMATES, 1877-78.		
Receipts—	£	£
Consolidated revenue (Atkinson) ...		1,635,710
Contributions from Land Fund—		
Sales, North Island, 40 p. cent., say	20,000	
Rents, &c., „ say ... ..	1,000	
		<u>21,000</u>
Sales, Middle Island, 40 p. cent., say	300,000	
Rents, &c., „ say ... ..	146,525	
		<u>446,525</u>
Gold fields revenue ... ..		73,000
		<u>2,175,235</u>
Railway receipts, say ... ..	600,450	
Deficit, interest, and depreciation account at 6 per cent., from which deducting surplus earning leaves—		
Middle Island, say 3½ per cent. on £5,000,000 ... ..	151,393	
North Island, say 5½ per cent. on £2,178,955 ... ..	113,000	
		<u>864,843</u>
(To be deducted from Railway Account 264,393)		
		<u>3,040,078</u>
Local government bodies—		
30 p. cent. on land sales, N. Island	15,000	
30 „ „ M. „	235,000	
		<u>240,000</u>
		<u>£3,280,078</u>

Expenditure—	£	£
Ordinary ... ..	2,159,931	
Miscellaneous ... ..	33,862	
	<u>2,193,793</u>	
Extra capitation, Education Bill ...		20,000
Department of Crown Lands, Surveys, &c. ...		198,567
Gold fields revenue, Natives ... ..		4,500
Counties, Boroughs ... ..	67,500	
		<u>72,000</u>
		<u>2,464,350</u>
Railway Account—		
Ordinary expenditure and maintenance ...		434,143
Depreciation, as allowed in No. 1 Statement		73,000
Interest being included in Consolidated Account.		
		<u>2,990,493</u>
Localised Land Fund—		
30 per cent. gross of sales to meet recurrent expenditure in Supplementary Estimates, and Provincial liabilities ...		240,000
Expenditure ... ..		3,230,493
Receipts ... ..		<u>3,280,078</u>
Surplus ... ..		<u>£49,585</u>

In the above Statement, in order to see clearly the transactions of the year, I have not included either the balances or liabilities of the previous year. A proposal has been made to lease the railways, and, as far as detached sections are concerned, I think it would be a very wise course to take. The expense of working these small sections is very great, and the results are unsatisfactory. We have to keep up a large staff of overseers; and I believe the public interest and the Treasury also would be better served if they were in the hands of private individuals. But the larger lines, such as those in Canterbury and Otago, ought, I think, to be managed under one general system. I believe in having the administration in the hands of one responsible individual. Let him be as far as possible unfettered, just as men in extensive private concerns place managers of departments, and say to them, "If you give us satisfaction you shall continue; but, if not, you must go." In regard to this Railway Account, I should say that for the present year we may require to adopt the late Colonial Treasurer's expedient, and look to Canterbury and Otago for £24,398 of the £167,000 which the late Treasurer wanted to seize; but for the future any deficiency in railway funds should be made up by a tax upon income and property. If there should then be a surplus after meeting the charges, the money would be available for new works. I will next refer to the District Railways Bill, and the important work of constructing branch lines. I believe it would be more satisfactory if the Government were to guarantee 2 per cent. in the first instance, and for the local bodies to make up the deficiency. The late Colonial Treasurer, in his Financial Statement, says, "Our net public debt is eight and half times our revenue, or, if we include our income from land sales, our public debt is equal to six times our revenue, while the public debt of England is more than ten times the amount of her revenue." Let us follow out those figures. Even taking the comparison on those grounds, the revenue of Great Britain is £75,000,000, and her public debt £720,000,000, so that it is not ten times the revenue. But that is not a fair way to put it. I

find the public debt of Great Britain in 1861 was £801,808,601, and it had been reduced to £720,036,715 in 1875, showing a reduction of £80,000,000. The honorable gentleman's debt exhibits no decrease, but an invariable increase, so that the comparison is not just. The public debt of England is £22 per head of the population, and the debt charge is £27,215,000, including £5,173,000 terminable annuities, which may very well be put against our public debt Sinking Fund. That shows only a yearly debt charge in Great Britain of 15s. 9d. per head of the population, and the revenue of Great Britain is £2 6s. per head. Our population is now about 450,000, including Maoris, and the tax is £3 per head, while the debt charge is £2 5s. 6d. per head, and the debt is about £44, or double the debt per head on the population of Great Britain.

Mr. REID.—Does that include the railways in Great Britain?

Mr. MURRAY.—No; but there is this great difference: that the railways of Great Britain are the property of the people. All our debt for railways is due to foreign capitalists, but the people of Great Britain pay one to another, while the interest on our debt goes out of the country. Coming nearer home, I find that in Victoria the taxation is 38s. per head, and the debt £21 per head. The debt in that colony has increased nearly £4,000,000 in four years, and is now £17,000,000. In New South Wales the taxation per head is 29s., the debt £18 13s. per head, and the total debt £11,751,000 against our debt of £20,000,000. If we now turn to the exports and imports of the respective colonies, we shall find that the exports of New South Wales are within half a million of their imports; that in Victoria the imports exceed the exports by £1,105,967; whereas by the statistics before me our exports are £5,476,749 against £6,894,380 imports. But I would here point out, as I did last year, an error in the mode of computing the exports of wool. The wool was computed at 1s. 4d. a pound, and that error has been perpetuated in making the present statement. That would make the estimate, at 10d. per pound, £2,494,000 instead of £3,395,816, or an over-estimate of £901,816. I estimate the price of wool to net 10d. a pound to the station-masters. That will show the actual exports to be £4,574,933, showing a deficiency between the exports and imports of £2,319,447. We shall find this deficiency accounted for under the head of mortgages, and that is one of the ways in which foreign capital is coming into New Zealand for investment. If this were a legitimate kind of investment, it would be so much money coming into the country for the benefit of the colony; but these mortgages show that we are not only borrowing as a Government, but that we are also borrowing privately to a very large extent. This will make things appear to go on prosperously as long as the money is coming in, and will enable us to balance our exchanges; but it has an ominous appearance to find the mortgage debt of the colony increased by £2,580,794 during the past year. I will now make a few remarks on the question of the Native lands. I have sketched out a few ideas which I think might,

with advantage, be embodied in a Bill, should such a policy as I advocate ever be adopted. They are these:—

“Native lands to be surveyed by the Government, and the cost charged as a lien against price thereof.

“The cost of administration and determining titles to be paid by the Consolidated Fund.

“When bought by private persons other than Maoris, the land to be subject to five yearly payments, at the rate of 5 per cent. per annum on the unimproved value, payable by the buyer to the local governing body.

“When bought by Government, no such charge to be made for local governing body, or cost of survey, but the land should be treated as ordinary waste lands.

“Titles to be determined and decided by a Judge or Commissioner either in Court or on the ground, aided and advised by two or more paid Native Assessors (not having the right to vote), who shall be elected by the Natives within the district over which the Judge or Commissioner presides.

“The Court of Appeal to be the Judge of the Supreme Court of the district, aided by one or more of the Judges of the Native Land Court.

“In awarding lands the Commissioner should secure definition of interests and, so far as possible, individualization of title.

“The Commissioner or Judge should make a sufficiency of inalienable reserves for residences and cultivations of Natives.

“They should also have power to permit the Native owners to make reservations, and place the same under the management of the Trust Commissioners of Native Reserves, with power for such Trust Commissioners (not less than two) to sell by auction or by valuation part or all of a reservation upon requisition signed by two-thirds of the owners and approved by the Governor in Council. On application, the Judge may, on a rehearing, at the expense of the applicant or applicants, apportion to such applicant or applicants his or their share of the reservation; but, when leased by Europeans, the consent of the lessee must be also given.

“The net proceeds from the sale of such reservation lands to remain as a permanent rent-charge upon such lands at the rate of 1 per cent., or they may be invested in Government securities or on good first mortgages, or in buying other real estate.”

I showed these proposals to the honorable member for Waikato (Mr. Whitaker), whose experienced views upon this question are of considerable value, and he regarded them favourably. By these means we should render it possible to have free trade in the purchase of Native land, under a certain amount of disability, which would still enable the Government to acquire land when and where it was considered desirable. We should further remove the danger pointed out by the honorable member for Timaru many years ago, of the possibility of the Natives being reduced to a state of poverty through losing possession of their lands, and becoming a menace to the peace of the colony, for they would be provided with a

Mr. Murray

permanent source of income, and would desire to see their lands, in this manner, pass into the possession of Europeans, which would thus afford a guarantee for the peace of New Zealand. At the same time, by charging this 5 per cent. on the actual value of the land we should provide an endowment for the local governing bodies for five years, and also supply the great want of a public estate for the North Island. With regard to the inscription of stock in London, I do not see that much will be gained by that proposal, inasmuch as a very large proportion of the loans outstanding will be extinguished in the course of a few years by accrued Sinking Fund. It may prove of advantage in future loans, but I do not see that anything is to be gained by making it retrospective. It will at any rate go a very small way towards supplying the deficiency between revenue and expenditure. We have three other ways of meeting our deficiency. We may sell our land, we may reduce our expenditure, or we may adopt a course which is distasteful to many and often fatal to Administrations: we may increase taxation. It must be evident to honorable members who have studied our finances that our revenue will not meet our expenditure, and we cannot, as we have been doing for years past, postpone the evil day. The longer we continue that muddling and complicated makeshift finance, which has been well described as thimble-rigging, the more difficult we shall make it to arrive at a satisfactory state of things. Now, I would like to see the Government come forward in a decided way, and determine upon the course to be taken. I should like to hear them say, "We will impose a tax upon income and property:" not that I should like to see any more money placed at the disposal of this Legislature, but, if we are to meet our engagements and complete the public works, it is absolutely necessary that a property and income tax should be imposed. It is said that the completion of the railways would result in a large addition to the revenue. The lines already open for traffic will most likely yield a handsome return, but those which run into the interior will largely add to our expenditure without greatly adding to our revenue. Moreover, some of our railways will not be completed for years. I see that the Wellington and Masterton line will not be open for twenty months. I might here appropriately refer to the general dilatoriness which characterizes the carrying out of public works all over the colony. It has taken more time, so far, to construct the Wellington and Masterton line than it took the Americans to complete the Overland Pacific Railway. It took only three years four months and ten days to complete that great work, and yet we have been four years trying to make a part of the Wairarapa line. That is a specimen of the great progressive policy of the honorable member for Egmont. I have thus briefly endeavoured to place before the House the true financial position of the country, and, as to the provincial liabilities, I hope the late Colonial Treasurer is satisfied on that point. But I would say this: that, whatever Government are in power, they will have no bed of roses. They will have to face a difficult position which

will tax the energy and patriotism of any gentleman who may occupy the position of Colonial Treasurer. I appeal to honorable members on all sides of the House not to allow party rancour to supplant the better and higher feelings which should animate the members of this Legislature. There are some natures, like that of the honorable member for the Taieri, which have the Scotch-terrier faculty of quarrelling with every one within range, and I regret that his frequent interruptions have compelled me to notice him thus prominently. The honorable gentleman is well known in Otago, where, I have no doubt, his subsidence in this Assembly will be properly appreciated. I have no doubt that, when he has the opportunity of testing the feeling of his constituents, he will receive a very definite answer as to what they think of his conduct. But, Sir, we are not here to quarrel amongst ourselves. We are not here to be constantly—

Fighting like demons for conciliation,  
And hating each other for the love of God.

We come here to act to the best of our ability for the good of our country. The figures will, as I was stating when the honorable member for the Taieri interrupted me—

Mr. REID.—I have not interrupted the honorable member in any way whatever. Certainly I have not been able to control my risible faculties, because I have been endeavouring, all through his speech, to gather the meaning of it; but I have utterly failed to do so.

Mr. MURRAY.—Well, Sir, though I can supply the honorable member with figures, I cannot supply him with brains, and as for getting him to understand a joke—well, he is a Scotchman. I have endeavoured to make the matter as clear as possible to ordinary comprehensions. At all events, the figures will appear in *Hansard*, and they will speak for themselves. I may say that, owing to being called upon somewhat suddenly to speak, I had not time to arrange my papers, and therefore my remarks may not have been so full or so precise as I could have wished. However, I offer them to the House as they are, and I thank honorable members for having given me such a patient hearing upon such a dry subject as finance, and at so late a period of the session.

Mr. REYNOLDS.—Sir, I do not rise to reply to the honorable gentleman, nor did I intend to speak at all on the present occasion; but I think it is due to myself, to this House, and to the public that I should explain the position I hold at the present time. It is well known that I was a staunch supporter of the late Government, but, at the same time, I have before now stated that I could not support the whole of their policy. There were some parts of their policy, however, which had my support. The chief measures in which I could not support them were the Constabulary Bill, the Misdemeanors Bill, and their financial proposals, in which they proposed to take from Canterbury and Otago £160,000 of the land revenue. In addressing the House on a previous occasion, I stated that I did not believe that from the ranks of the then Opposition and Middle Party a satisfactory Government could

be formed, and I think I was a pretty good prophet as far as that went. I said,—

"Although I do not say that the present Government is perfect, yet I mean to say this: that I have far more confidence in them than I should have in any Government taken from the ranks of the Opposition. Why, Sir, what do we find there? We find two distinct parties—one, the Opposition to the Government, and the other, the self-styled 'Great Middle Party.' I know very well that, although these two may combine to turn out any Government, yet they could not work harmoniously together."

That has proved to be the case; and when the late Government were defeated, and the honorable member for the Thames formed a Government, I stated at once to the honorable member for Egmont and some of his colleagues that the proper thing would be to let the new Government indicate their policy before any opposition was raised against them. I stated distinctly that, if any vote of want of confidence were moved before the policy of the new Government was declared, I should be compelled to vote against it. Therefore when the honorable member for Egmont moved his no-confidence motion I proposed an amendment to it. Before doing so, however, I showed that amendment to the honorable member for Egmont and some of his colleagues, and after that I thought it was only right that I should also show it to the honorable member for the Thames. That honorable gentleman, however, was not in the House at the time, and I showed it to the Minister of Justice, and gave notice of it as soon as possible afterwards. Now, Sir, if it were Parliamentary language, I should say that I find myself between two bodies of thieves. I say that, by combining together, those two parties can break through the compact of 1856. I would far rather have a policy such as that which has been indicated by the present Colonial Treasurer. He goes in for straightforward highway robbery. That honorable gentleman has told us distinctly what he intends to do. He has told us that he intends to take the Land Fund, and only to return a certain percentage of it for expenditure in the districts in which it is raised. Now, Sir, I only hope that any arrangement that may be made this session, whatever it may be, will be final. The honorable member for Egmont laughs at that, but I think he should be the last man to laugh at it. I say that if I had been acting fairly to myself and to southern constituents I should have opposed him last session, because there was a distinct promise made by the continuing Government when the provinces were abolished that there should be no interference with the compact of 1856. But what did we find in the Financial Arrangements Act last year? Was there no interference with the compact of 1856 there? And was there not another encroachment on it this session? Yes, there was. What right had the honorable gentleman and his colleagues to come down and propose this session to take £109,000 from the Land Fund of Otago, in violation of his promises on the passing of the Abolition and Financial Arrangements Acts? Sir, had the members of the late

Government, especially the honorable member for Egmont and the honorable member for Kaia-poi, acted fairly after they got the Abolition Bill passed, they would have resisted any attempt to interfere with the compact of 1856. But they did not do so. I was very much disposed to look over their pilfering propensities, because I saw that to a great extent they were compelled to act as they did under pressure, and that they were compelled to give way to public opinion as expressed by honorable members of this House. I have no desire to make a speech on this subject. I merely wished to explain the position I occupy, and, although the honorable member for Waikouaiti and the honorable member for Waikato have classed me with the "rats," I defy them to prove that I am not consistent in my action. I will never be a party to allowing six or seven individuals to rule the colony. It is evident that the six or seven individuals who composed the Middle Party desired to dictate their terms for ruling the colony. I trust that, if over a Middle Party springs up again, both the Government and the Opposition will unite together for the purpose of crushing it.

Mr. REID.—I have listened very carefully to the able Financial Statement of the honorable member for Bruce, and really I think the House is deeply indebted to him for the very great industry he has displayed in bringing the true financial position of the colony before us. I think that both the present and the late Colonial Treasurer may now hide their diminished heads. When the unbiassed Financial Statement that has been delivered by the honorable gentleman appears in *Hansard* I am sure that the two official Statements we have already heard this session will sink into oblivion, and that the Statement of the honorable member for Bruce will be accepted, and the people of the colony will be gratified that he has put the financial position of the colony before them in such a way as that it can be readily understood. Some of the statements of the honorable gentleman were unique in their way, as showing the position into which the colony was drifting. For instance, the honorable gentleman considers it a great grievance that the mortgage indebtedness of the colony has increased to two millions during the present year. But, to my mind, that is a matter for congratulation. Of course, I do not pretend to understand finance in the way the honorable member for Bruce does, but it appears to me that when the moneyed men of other countries are prepared to invest their capital on mortgage in this colony it shows that they have faith in our resources. I look upon the increase in mortgages as a gain to the country. The honorable member for Bruce says this is a thing we should regret, because it is a sure indication that we are going down-hill. If we found that those who had lent money to the colonists on mortgage were pressing the borrowers to redeem their bonds it would be a bad thing for the colony, and if that came about it would be an evil day for many of those who were depending for their employment on the use of the borrowed money. I look upon the increase referred to as a

Mr. Reynolds

hopeful sign; and I shall be glad, if there is any necessity for it, if the accumulated capital of the country is not sufficient for the requirements of the people, to hear within a short time that the indebtedness of the colony for private loans has increased to £5,000,000. I should look upon that as a mark of prosperity. But of course the honorable gentleman is entitled to have his own opinion. Well, Sir, I do not think it is worth while taking up time in referring to the honorable gentleman's speech. I have endeavoured, to the best of my ability, to comprehend the statement of the honorable member, but, owing to the tone of voice in which it was delivered, and owing to the way in which he shifted from one set of figures to another, it was altogether beyond my comprehension. I admit that my intelligence was at fault, and other honorable members may probably have understood the honorable gentleman. There was one small matter which I did comprehend; it was within my grasp. He said that the late Colonial Treasurer had estimated the land revenue at £743,000, but that that amount would not be realized if the Land Bill now before the House passed into law. I do not understand why that should be so. The Bill does not place any restriction on the sale of land; it gives greater facilities for disposing of the land. In some cases it increases the price of the land, and that might cause some diminution in the land revenue. However, it will afford greater facilities for the taking up of land, and instead of the receipts of land revenue for the ensuing year being diminished, they will be increased. I have no reason to believe that it will be otherwise. The honorable member made a comparison of the indebtedness of New Zealand and Great Britain. There is no comparison whatever in the two cases. If the honorable member had included in the debt which the people of Great Britain owe the amount expended on railway construction, the construction of harbours, and many other useful public works that have been constructed there by private enterprise, and which here are constructed by the Government, he would have brought something more approximate before us, and something on which we could found a basis in comparing the indebtedness of the two countries. The Government of Great Britain raises the revenue from the people to repay the burdens on its loans, and the Government of New Zealand in the same way has to take the same course. But in the case of New Zealand many of these loans were incurred for railways, telegraphs, &c. When the honorable member comes to enlighten us in regard to finance and such matters, it would be a good thing if he would endeavour first to comprehend them himself. It is just possible that it would take the honorable member as long to comprehend them as it would most of the members of this House. Then the honorable member for Port Chalmers hoped the financial arrangement of the Government would be final. He has been confiding hitherto. He was confiding in 1875, he was confiding last year, and he is still prepared to give credence to the statement that this will be a final arrangement. This is 1877, and probably in 1878

he will be prepared to admit that he places too great confidence in the promises of the Government. It is quite possible that what occurred in the past may occur in the future. It is creditable to the good nature of the honorable member that he should be prepared so readily to place confidence in these great promises. I have no confidence whatever that the proposal before us in the last Financial Statement will be a final arrangement. I should not be surprised if, when we again meet, assuming that a number of votes can be secured from different sides of the House, the proposals made this year were altered next year. I have no reason to hope that it will be otherwise.

An Hon. MEMBER.—With a different Government.

Mr. REID.—Even with the same Government, if the number of votes is sufficient to accomplish the object. That is the great thing: it is the number of votes upon which the Government depend. If the number of votes is sufficient to accomplish the object, I dare say the honorable member for Port Chalmers may have cause to believe that he has been too confiding during this session of 1877. The object is to secure a larger share of the land revenue of the Middle Island, and especially of Otago, where the largest land revenue of any part of New Zealand will be raised in the future. The object in view is to secure the land revenue for the use of the Colonial Government. The honorable member for Port Chalmers has expressed his willingness to accept the proposal, as it is not a pilfering one—it is a large wholesale robbery. To my mind, the greater the encroachment the more necessity for resistance. I say, to make a reason for going in for this wholesale robbery—I really cannot apply any other term to the proposal—of the land revenue of the Middle Island—to make it a pretext that there is to be a comparatively small reduction, which is to be placed on loan against the land revenue of Otago during the present year, and the necessity for which would be entirely removed by the proposals of the late Government in regard to them—to make a pretext of that for agreeing to a proposal for taking away the whole land revenue of that province is really—well, I say it is a confiding method of dealing with this question, one showing the very great confidence which the honorable member is disposed to place in the Administration of the day. I think the reason the honorable member has given for agreeing to this proposal—I am sorry to hear that he has agreed to it—is an exceedingly weak one. If the late Government had done wrong, that was no reason why this proposal should be agreed to. It is no reason why the proposals of the present Government should be agreed to, if they are wrong. To my mind they are wrong, and on every occasion upon which I have an opportunity I shall certainly vote against this proposal. I am not going to take up the time of the House.

Hon. MEMBERS.—Go on.

Mr. REID.—I have not much to go on about. The honorable member for Bruce has told us half a dozen times that we shall see everything

in *Hansard*. If I had seen his statement in print I might have referred to some of his remarks, but in the meantime I shall content myself by expressing my regret that the honorable member for Port Chalmers should have given his adhesion so freely and fully to a proposal which I consider as robbing Otago of its land revenue, and that he should have given his adhesion for such slender reasons as those he addressed to the House.

Mr. HODGKINSON.—I wish to say a few words with regard to the policy of the new Ministry as to the colonialization of the Land Fund. Of course, as a southern member, that part of their policy is not one which many of us would have adopted from choice. As we on this side of the House have been taunted as being disposed to accept a policy contrary to our former opinions, I wish to say one or two words by way of justification for my still supporting those who have adopted that policy. If there was any way of escape from this colonialization of the Land Fund, that might be considered a reason for ceasing to support the present Administration; but it must be apparent to members of this House that we who hold views opposed to the colonialization of the Land Fund could gain nothing whatever by breaking up the present Ministry and reinstating the late Ministry in office. Nothing whatever; on the contrary we should lose the advantage of a certain definite settlement of this question on certain definite principles, and leave it again to drift into something far worse than what the present Ministry, from our point of view, are disposed to adopt. I need only take the statement of the honorable member for the Taieri himself. When he spoke on this question one evening last week, he informed us that, under the proposals of the present Ministry, the Province of Otago would lose to the extent of £53,000 of its land revenue. I believe I am right—

Hon. MEMBERS.—Hear, hear.

Mr. HODGKINSON.—He thought proper to denounce it as robbery, and he spoke in as strong language as he has done to-night. Well, he himself was a party to taking from that province the sum of £109,000—£58,000 from Canterbury in cash, and £109,000 from Otago in another way. How could the honorable member for the Taieri talk of the robbery of the Otago land revenue in the way he has done when he was a party to a robbery double the extent? Well, that honorable gentleman has great powers of a certain kind. He has shown them in this House. It is a surprise to me that a man who has taken the part he has in leaving his party in the way he did should get up and speak as he has done in this House. He robbed the Province of Otago of £109,000. He now gets up and affects a great deal of virtuous indignation against the present Ministry for having taken less than one-half of that amount. He is a man of great powers of a peculiar kind. There are various powers. There are great powers of intellect, there are great powers of thought, there are great powers of eloquence, there are great powers of reflection, and so forth; and there are also great powers of

face, and that, above all others, is the power that should be accorded to the honorable member for the Taieri.

Mr. MACANDREW.—The honorable member for the Taieri has said a great deal about Otago being robbed of its Land Fund, as if that were something new. It was an accomplished fact when the Abolition Act was passed. The thing has been done by our predecessors, not by us. What did we find when we went into office the other day? We found that there was not a single penny of the Land Fund available for local distribution. The whole thing was swallowed up in what I ventured to call the maelstrom or vortex of colonial finance. That was what we found on taking office. It is true there was a nominal sum available for local expenditure: this sum, however, was got out of the *hocus pocus* of colonial finance—not out of any Land Fund at all; it was the proceeds of what in private life might be termed “kite-flying,” the proceeds of accommodation bills, which ultimately must be met by the people themselves. That is what the Land Fund available for localization came out of; that is what it was derived from. As I have said, there was not a single penny of actual Land Fund available for local purposes, and I cannot understand the honorable gentleman saying that we are now robbing Otago of its Land Fund. We are endeavouring to get something out of the pie, whereas by the proposals and policy of the late Government the whole thing was gone. The policy which my honorable colleague proposes provides for 20 per cent. of the Land Fund being secured for distribution amongst the local bodies. Is that robbing Otago of the whole of its land revenue? Certainly not. I had no intention of speaking on the present occasion, because I think the policy of the Government has been so fully explained in the Financial Statement, and so ably vindicated by the speeches of various members, that it would be presumption on my part to occupy the time of the House, at this late period of the session, when moments are precious, in going over the same ground again. At the same time, I cannot help alluding to a speech which I heard from the honorable member for Waikouaiti the other evening, when he addressed the House for nearly an hour and a half, and the whole burden of his song was that I and my colleagues had betrayed the province from which we came. The whole gist of that speech consisted in his branding us as traitors to our province; but I tell the honorable gentleman that, if he and his coadjutors had been as true to the province as I have been, it would have been in a far better position now, and could have held its own against all comers. It does seem very strange to me that the man who set fire to his province and danced round its funeral pile—if I may so express it—should now come out in the character of a patriot, and condemn me and my colleagues for endeavouring to save something out of the ashes. This 20 per cent. is very little, but still it is something. I might also refer to another matter referred to by the honorable member for the Taieri; and the remark has not been confined to him, but has

Mr. Reid

frequently been made throughout the debate. It has been said that the obstructive action of the present Government when in opposition has been the cause of the delay in getting through business this session. I deny that altogether, and I think it is only proper that the rights of the case should go forth to the country. It is a singular fact that, during the many years I have had the honor of a seat in this House, this is the only session in which I have not been present at any political caucuses, and have not been asked to attend one, except one which was held after the late Government resigned, when I was present. Still, the fact remains that we have now been in session for nearly five months, and, until the last month or so, little or no business whatever has been done. Some have attributed this to the obstructiveness of the present Government when in opposition, and others have attributed it, with just as much truth, to the incapacity of the late Government and its inability to manage the business of the country. I do not attribute it to either one thing or the other. I am inclined to think it would have been the same whatever Government was in office. I think it is the system into which we have got that has caused the delay, and not the men who may be in office. Sir, this House for years past, instead of confining itself to the thirteen subjects assigned to it by the Constitution Act, has been arrogating to itself the whole parish-beadleism of the country. This evil, instead of decreasing, will go on increasing in the future. You have got rid of the buffer that stood between you and the people in the shape of the Provincial Councils, and I fear this evil will go on growing greater and greater; and if I should remain in office it will be my endeavour, and that of my colleagues, to initiate some sort of policy that will tend to mitigate the evil. I should not have risen this evening had it not been for the often-repeated assertion that we are going in for a policy of robbing the Middle Island of its Land Fund, just as if that were a new proposal, and not a thing that has already been absolutely effected. That fund is all gone. A hundred per cent. of it has already been taken away, and we are now endeavouring to get something out of the fire. Under our proposals we hope to retain one-fifth of it: but even that will not get us out of the financial mess we are in. You may take every penny of the Land Fund, and yet, if we go on as we are doing, we shall only get deeper into the mire. You must apply the pruning knife in every direction, and I am in the hopes that we shall be able to do so to a certain extent—by-and-by, not immediately, for it is not a thing that could be done in a moment. It requires careful consideration and reflection, and no man in his senses would attempt to do in a day what will require months of thought. I am in hopes that we shall be able to cut our coat according to our cloth, and that a large sum can be taken off the present expenditure without encroaching on the efficiency of the public service. That is what I shall aim at if I retain my seat on these benches. I have no desire to sit here, and it was only a sense of public duty, and the earnest soli-

tations that were addressed to me, which induced me to join the Government. Now that we are here, however, I am vain enough to think, in respect of my colleagues and myself, that we may be able to do the State some service.

#### SUPPLY.

The House went into Committee of Supply.

#### CLASS XI.

Miscellaneous, Special, and Temporary Objects, £30,852 3s. 10d.

Mr. MANDERS called attention to the item, "Introduction of salmon and white-fish ova, £800," and said that a promise had been made to the people in his district that they should receive some of the white-fish which were purchased by the Government from time to time, but they had never yet obtained them. He wished to have some explanation from the Government in regard to the matter.

Mr. MACANDREW replied that there were now plenty of white-fish ready for distribution, and the honorable gentleman's district would get its share.

Mr. BURNS wished to have some explanation regarding the item, "Honorarium to Sir Julius Vogel for services in England, £3,000."

Mr. SHEEHAN was of opinion that this vote should not be passed, but, in saying that, he was speaking merely for himself, and not on behalf of the Government. He would be prepared to move that the total vote be decreased by £3,000.

Mr. SHRIMSKI thought the vote should be passed. There was no doubt that Sir Julius Vogel had been put to great expense in going to England, and he should be recompensed. They should not send their Agent-General Home as a pauper.

Mr. BURNS held the same opinion on the subject that he held last year, and, unless there was some good reason given as to why the money should be granted, he would vote against it.

Mr. SHEEHAN did not think any better cause could be shown for paying this money than was made out last year. The gentleman referred to had received ample funds—he was amply paid for what he did, and was allowed ample allowance for the voyage Home and back—a larger amount than was ever allowed to any other gentleman in the colony.

Mr. REES said it was shown before the Committee that Sir Julius Vogel spent over £5,000 a year besides his salary and allowances. He did not think that, in the present state of the colony, they should pay Sir Julius Vogel £3,000 for spending the money of the colony recklessly. He hoped that the vote would not be allowed.

Mr. HUNTER had supported the vote last year, and he would support it again this session. The money had been spent by Sir Julius Vogel on behalf of the colony. He went Home on a very important mission, he worked very hard, and carried out his mission successfully. He rendered very important services in negotiating the four million loan. It was admitted to be of the greatest importance to the colony that the money should be raised at that time. As the



money had been spent by Sir Julius Vogel on behalf of the colony, he did not think the House should refuse to vote the amount.

Mr. GISBORNE would like to have some explanation given regarding this item before he gave his vote upon it. He found that in 1874, the day after the session terminated, the Cabinet determined that Sir Julius Vogel should go Home, and also agreed to give him £1,500 beyond his salary, and the usual travelling allowances, four guineas a day from the time of leaving the colony till his return. Next session a return was moved for by the honorable member for Aron of the allowances authorized or granted to Sir Julius Vogel on account of his mission. In that return the £1,500 was entered as an advance: there was nothing to show that it was absolutely in addition to the usual travelling allowance. It was merely entered as an advance to be accounted for. Last session the vote asked for was £2,750: now it was increased to £3,000. Some explanation of this increase should be given. He thought the colony had treated Sir Julius Vogel liberally in giving him £1,500 over and above the ordinary expenses and salary. He did not think the colony should have been asked to bear the expense of taking Sir Julius Vogel's family Home and bringing them back again. The colony did not send Sir Julius Vogel Home; it was merely a determination of the Cabinet that he should go Home. Parliament was prorogued, and did not know anything of his going Home. The Public Accounts Committee inquired as to how the £2,750 had been expended, and the Committee did not think it was expenditure incurred in the public service of the colony. Unless some satisfactory explanation was given in regard to this item, he should feel himself bound to vote against it.

Mr. MACANDREW was not here last year when this vote was before the Committee. Had he been here, however much he might have considered it an excess, he should have supported it, inasmuch as it was brought forward by the Government, who, he presumed, had satisfied themselves that the money had been absolutely expended in travelling expenses. He presumed that the honor of the Government was pledged to pay it, and he felt that it was very much to be regretted that the Government did not insist upon the item being passed last session. He was under the impression that it ought to be paid, and would not vote against it. He could not disguise the fact that Sir Julius Vogel was a little extravagant, but still he presumed that the Government had satisfied themselves that the money had been actually expended in the service of the colony.

Mr. REYNOLDS regretted very much that an honorable member was going to move that the vote be reduced by this £3,000. He must say that he thought the vote should have been passed last session. It was all very well for the honorable member for Totara to say that ample allowance had been paid to Sir Julius Vogel when he went Home, and also that he went Home without the authority of Parliament. Ministers were placed in this position: that it was absolutely necessary some one should go Home to negotiate the four million loan. It would have been a great

mistake if Sir Julius Vogel had not gone Home, and he was in such a state of health that he could not go Home without taking his family with him. No one could have expected him to go Home without taking his wife with him, and she could not leave a number of young children behind. No doubt it appeared a large sum beyond the usual travelling expenses, but they should look at the expenses incurred by previous Ministers when they went Home. The expenses of Sir William Fitzherbert far exceeded his allowance, and the House at once voted him £3,000. What did Sir William Fitzherbert do at Home? It was true his mission was to consolidate the loans; but, comparatively speaking, he did nothing towards consolidating the loans. He employed brokers, and the expenses connected therewith amounted to £34,547 16s. 6d., in addition to his own expenses and salary, and an item for sundries amounting to £735 15s. The total expense of his mission, irrespective of his salary, was £5,389. Then Messrs. Featherston and Bell went Home in 1869-71, and the expenditure of their mission was £8,725, and they were not at Home for so long a period as Sir Julius Vogel. It must be borne in mind that Sir Julius Vogel had many expenses at Home in consequence of the bad state of his health. They should take into consideration, also, what he did for the colony. He not only negotiated the four million loan, but he was authorized to enter into a contract for the cable between this colony and Australia. He arranged that the colony's proportion should be £7,000, thus saving the interest over a series of years on £13,000 to the colony. These things ought to be taken into consideration, and he trusted the Government would withdraw their opposition. It would not be creditable to the colony not to pass the item.

Mr. MACFARLANE would point out that the Government were acting quite fairly in the matter, as they left it an open question. Honorable members could vote as they thought fit, and, as he considered that Sir Julius Vogel had saved the colony a great deal more than £3,000, he would vote for the item.

Major ATKINSON was very sorry to see the Government divided on this subject, because he thought it would have been a very graceful tribute to a man who had done a great deal for New Zealand if they had recommended this sum to the House. As he understood it, the position which some honorable members took up last year with regard to the vote which was then brought down for Sir Julius Vogel was, that they considered public men should not be extravagant when engaged on public duty, and they therefore refused to vote the amount proposed. The honorable member for Auckland City East, in the first part of last session, was very indignant because he was under the impression that this money was already drawn from the Treasury and spent. He said that, if not drawn from the Treasury, and if Sir Julius Vogel came down and asked for the money, he would be prepared to consider the request favourably. His (Major Atkinson's) reply was that the money had not been drawn from the Treasury, and he therefore claimed the honorable

*Mr. Hunter*

member's vote. The House, having vindicated its position last session, and said that it would not permit of extravagance on the part of public men engaged in its service, might now very well vote this sum as a bonus to Sir Julius Vogel for the work he had done so well. He regretted that the vote was not likely to be passed unanimously, because Sir Julius Vogel had saved the colony ten times the money the transactions would have cost had they gone through the ordinary channel. Whatever might be thought of Sir Julius Vogel's political career, every honorable member must acknowledge that he had done good service to the country, and it would be ungrateful of the House to refuse to pass the vote. Last year the exact amount which Sir Julius Vogel spent was brought down, but this year it was thought better to bring down a lump sum—an amount similar to that which had been voted to Sir William Fitzherbert for his services when in England. He did not agree with the honorable member for Port Chalmers in what he said with regard to those services, and would not detract from them at all; but he must say Sir Julius Vogel had performed as great or greater services, and the direct saving he made to the colony was much larger. He hoped the Committee would vote the amount.

Mr. HODGKINSON hoped the Committee would do nothing of the kind. He was not surprised at the honorable member for Egmont advocating the vote, because it was quite consistent with the course of extravagance that honorable gentleman had pursued. The honorable member for Port Chalmers no doubt had a fellow-feeling for Sir Julius Vogel, because he had been that gentleman's colleague. Sir Julius Vogel had been absent from the colony sixteen months, and had, for himself and his Private Secretary, about £6,000, which was voted by the House. That was an enormous sum for any two men to spend in that time.

Mr. REES.—Sir Julius Vogel himself spent £6,000.

Mr. HODGKINSON.—That made the matter worse. If Sir Julius Vogel had only proper feeling he would have rendered the best services he could to the colony, and have been contented with the liberal payment he received. In particular cases, when a man had rendered extraordinary services to the colony, the House would no doubt vote a sum of money for him; but that was not the way this vote came up. Sir Julius Vogel made a claim to this money in a most impudent manner, saying, in effect, "I have been extravagant; I have not saved; I have spent this money, and you must pay it." When it was necessary to economize, and perhaps cut down the salaries of men who could badly afford it, the House should not throw away money in this way. He would certainly call for a division, in order to test the question. The amount already paid was about equal to the salary of the President of the United States; and why should the House vote such an additional sum to Sir Julius Vogel? As to the plea of sickness, all that could be made out of that was that the Government were very

much to blame for sending Home a sick man to do their work.

Mr. J. E. BROWN was very much pained to hear the remarks of the honorable member who had just sat down. If the public men of the colony were to be treated in that way, and their services valued in such a spirit, there would be very few public men indeed. The public should be careful not only to keep the honor of its public men pure and unblemished, but it should also be grateful to them. Sir Julius Vogel had rendered most important services to the colony. He would not have been ready and willing to go Home at a time when he was in a very bad state of health if it had not been for his desire to serve the country. It would not be paying proper respect to the House itself, or to the country, or to Sir Julius Vogel, if the vote were not passed. He hoped that even now the honorable gentleman in charge of the Estimates would withdraw his opposition.

Mr. MANDERS paired last year in favour of the vote for Sir Julius Vogel's services. He was asked by his constituents why he gave that vote, and he told them that if it were brought forward again he would be ready to support it. He would support the present vote, and was much pleased to hear the honorable member for Dunedin City (Mr. Macandrew) speak in the way he had done. That honorable gentleman could bear testimony and tribute far higher than he could do to what Sir Julius Vogel had done for this colony. The Committee must remember that Sir Julius Vogel, while looking after the larger interests of the colony, did not overlook minor matters. The honorable member for Dunedin City supported a vote for a bonus for the manufacture of beet-root sugar only a short time ago; but who was it that introduced that subject to the notice of the Assembly? It was Sir Julius Vogel. That gentleman also called the attention of the House to the coal deposits of the colony, and to the necessity for utilizing them. He did not believe Sir Julius Vogel ever travelled anywhere that his eyes were not New Zealand's eyes, and used for the advantage of the colony. The time had come when, as was remarked by the honorable member for Ashley, they should pay a tribute to those public men who did great and good service for the country, and he therefore had great pleasure in supporting the vote.

Mr. MURRAY commended the feelings of loyalty shown by the leading members of the Opposition towards their late colleague, but he felt bound to remind the House that it was their duty to be just before they were generous. He had a full appreciation of the merits of Sir Julius Vogel, but he could not forget that he had great faults. They all knew that it was Sir Julius Vogel who had brought serious financial difficulty upon the colony. Sir Julius Vogel himself admitted at Home that he had got the colony into a mess, and, though the statement was afterwards denied in the correspondence with Mr. Sargeant, there was no doubt of its truth. Then, it was said that Sir Julius Vogel was sent Home in a state of ill-health; but the fact was that he went Home of his own accord, and had not the courtesy

to tell the House that he was going. He could not agree with those honorable gentlemen who placed such high value upon the services Sir Julius Vogel had rendered in England. The negotiation of the four million loan, which was quoted in support of that statement, was not by any means so successful a transaction as those honorable gentlemen seemed to think. It was true that they got the loan at £94, but the charges for raising the loan and incidental expenses reduced it to £90; so that was not a cause for great congratulation. As to the cable, it could not be said that Sir Julius Vogel had saved so many thousand pounds because he did not exhaust the limit fixed by the House far too high solely through his own influence. He was sorry to hear disparaging remarks made about the mission of Sir William Fitzherbert. It was well known that Sir William Fitzherbert obtained the remission of Imperial claims against the colony, and had so saved the colony £750,000, and he was sure that that was a greater cause for congratulation than Sir Julius Vogel's four million loan transaction. He stated last year that the total cost to the colony of Sir Julius Vogel's mission was £11,000 for expenses, £2,500 more than the cost of the Earl of Elgin's mission to China, and he had seen no reason to change his views upon that point. If the colony could afford to pay its plenipotentiary more than England paid her plenipotentiaries to one of the greatest Empires in the world, its finances could not be in the state they were represented to be. The whole cost of the Victorian Agent-General's Department was something like £3,000, and why should the New Zealand Agent-General's Department cost so much more? They would not be acting justly to the colony if they voted this sum. The honorable member for Timaru and the honorable member for Port Chalmers both did good service to the colony when they went Home, and charged nothing for it; and, when they remembered that this money was spent before it was voted, they could not avoid the conclusion that Sir Julius Vogel had trespassed upon the courtesy of the House.

Mr. REES said the honorable member for Egmont spoke as if he (Mr. Rees) last year advocated that this money should be paid. He was speaking of money that had been overdrawn by a public servant, and in what he said he was alluding to the fact of public money being overdrawn by a public servant before he had a right to do it. He did not say that he would support the gift to Sir Julius Vogel of such an enormous amount as this. During the ten months Sir Julius Vogel was away he spent £6,000 independently of this sum altogether, and the Public Accounts Committee could never get any detailed account of the way in which the money was spent. The only explanation they got was that Sir Julius Vogel calculated that he was about £2,800 out of pocket.

Mr. DE LAUTOUR did not altogether agree with the arguments of the honorable member for Bruce, or with those of the honorable member for Riverton. Still, he did not think he would be able to vote for this sum, for a reason which animated many other honorable members, who had an

uneasy feeling that the money would not benefit either Sir Julius Vogel or his family. Should Sir Julius Vogel discontinue to act for the colony—and they had no reason to believe that they would lose his services for some time—he would vote for even a larger sum than the Government of the day might propose, provided it were invested in such a way that it would benefit his family. But, in this instance, where many of them believed that a vote from the public funds would not benefit either Sir Julius Vogel or his family, he hardly felt justified in voting for the proposal before the Committee. But there was this point to be considered: that, if Sir Julius Vogel was a just object of the obloquy that had been cast upon him that night, they should also remember that he had been the head of the colony and the head of a province, and, if the colony and the province had put him into power, they were not irresponsible for the acts which were now condemned. A public man who was trusted for so many years, and was kept in power by the representatives of the people, must have done good work of some kind.

Mr. STOUT said he was not present when this vote came up last year. He was present when the question of the appointment of the Agent-General came up, and he took up the ground that that was a question which the House should not interfere with. So far as he was concerned, he did not question the fitness of Sir Julius Vogel for the office, because he felt that a man who was competent to hold the position of Premier of the colony was competent to be Agent-General. He understood that this money had been expended—extravagantly expended, he believed; but Sir Julius Vogel was not altogether to blame for the extravagance they had witnessed in connection with their Parliamentary affairs. This system of extravagance had been growing up all round, so much so that the State ceremonials and other similar habits that were growing up in Wellington were exercising a most pernicious effect upon the colony. They were training up a class who aped the British aristocracy in all kinds of extravagance, and creating an unhealthy feeling, which permeated the whole life of the colony and reacted upon the House. He hoped, however, to see the people of the colony sober down before long. With reference to this vote, as the money had been expended, although it had been expended extravagantly, as he believed, it would be wrong in the House to refuse to pass it.

Mr. HODGKINSON was surprised to hear the honorable gentleman say that the House should vote the money quite independently of the fact that it was spent without the authority of the House. He had been accused by one honorable member of being ungrateful to Sir Julius Vogel. He should like to be told what he had to be grateful to Sir Julius Vogel for. As to traducing him, he had done nothing of the sort, and simply stated that they were under no obligation to vote this money. If it were asked as a recompense for some distinguished services rendered to the colony, they might vote it with a good grace; but this was not at all a case of

*Mr. Murray*

that sort. Sir Julius Vogel had exceeded the very extravagant allowance which was made to him, and it was cool effrontery on his part to come to the House and ask for £3,000 more. He did not hesitate to speak in disparagement of Sir Julius Vogel, for he did not know that there was any man in the colony who had done so much mischief to the country, financially and morally, as he had done.

Mr. REID was one of those who, last session, were against granting this money to Sir Julius Vogel. The question had given rise to a great deal of party feeling. He believed that many members had voted against granting the money because they wished to give expression to their opinion that the mission had been an extravagant one. Since that time Sir Julius Vogel had been appointed Agent-General for the colony, and he (Mr. Reid) had good reason to believe that this matter was of some little importance to him. They should remember that, while they had appointed him to that responsible position, they were throwing discredit on him by withholding payment of the money, which he had spent in the service of the colony, and which he could not very well afford to lose; therefore he would vote in favour of the grant. The money was intended to be a free gift in consideration of his services, for Sir Julius Vogel had rendered good service in connection with the raising of recent loans, although, at the same time, he (Mr. Reid) was not prepared to say that the services which had been rendered by Sir William Fitzherbert when he went Home in 1868 were not as beneficial to the colony as those which had been rendered to the colony by Sir Julius Vogel. Sir William Fitzherbert was the first person who brought the affairs of the colony prominently before the public at Home. He secured the consolidation of the loans, and the very able way in which he managed that business was creditable to him and beneficial to the colony. It would be a graceful act on the part of the House to pay to Sir Julius Vogel the money asked for, and have done with the matter. He hoped that Sir Julius Vogel would be retained as Agent-General, for he believed that that gentleman was doing good service in his present position. While he (Mr. Reid) was in the Government, he was highly satisfied with the manner in which Sir Julius Vogel conducted his department. The payment of this money would not be a great burden, and, if it came to a matter of voluntary contribution, the people would very soon subscribe it. He thought it would be a graceful act on the part of the House to pass the vote.

Mr. MONTGOMERY would not have spoken on this question had not the honorable member for the Taieri implied, by his remarks, that it would be ungrateful on the part of the House to refuse this money to Sir Julius Vogel. He admitted that Sir Julius Vogel had done good service to the colony, but he did not think he did very good service when he went on the mission to England. He went Home, in fact, without informing the House that he was going, and he went Home when the colony already had an Agent-General of great ability, who could have

done the work which Sir Julius Vogel had to do fully as well as that gentleman himself did it. The colony had not been at all niggardly in the manner in which it treated Sir Julius Vogel. It gave him a salary of £2,172 16s. 5d., travelling allowances, £2,171 8s., and special allowance, £1,500; and it also paid £283 for the passages of himself and his servant, and provided him also with a private secretary. He (Mr. Montgomery) did not think Sir Julius Vogel did anything more than his duty at Home, and it would be a bad precedent to establish to allow public men to go to England, and, after spending large sums of money in a manner which their position did not warrant, to permit them to ask the House to recoup them. He would not be unwilling at any time to support a vote, if it were asked for, on behalf of the family of a gentleman who had distinguished himself by his services to the colony. He would oppose this vote if it was only for the purpose of enabling a corporation to increase its profits by the amount of the vote at the end of the year. In his opinion this money should never have been spent, and he hoped the House would, out of respect for themselves and their constituents, decline to vote the money.

Sir G. GREY agreed with the remarks which had fallen from the Minister of Justice with regard to this matter, and he intended to follow the same course himself. It had been said that this money had been spent; but he was on the Committee that inquired into the matter, and the impression left on his mind was that no proof was given of the expenditure of the money in a justifiable way. He contended that any public servant who was charged with the disbursement of public moneys, and who disbursed those public moneys in any other way than that which his employer expected him to do, ought to be punished for so doing. His own belief was, that Sir Julius Vogel's mission to England was not a necessary mission. It was concealed from the House; he believed it was entirely unnecessary, and that it was for his own convenience that Sir Julius Vogel was allowed to proceed to England. It was admitted by the honorable member for the Taieri that the expenditure of Sir Julius Vogel on that occasion was extravagant. He (Sir G. Grey) was satisfied that it was very extravagant, and he thought it would be wrong in the extreme for the colony to say it would repay all money spent by a public servant who went to England, not on a necessary mission, but apparently to suit his own purpose. It was wrong that the colony should allow him to claim from this country as large a sum of money as Lord Elgin claimed from Great Britain when he was sent as a Plenipotentiary to China. The claim should certainly not be allowed. As the House came to the conclusion last year that the claim should not be paid, the difficulty had now been got over by putting the amount down as "honorarium." That was altogether a misnomer. If it was intended to make a present of the money to Sir Julius Vogel, the late Government should have said so at once. There should not have been an attempt made in the first place to

obtain the amount as if it had been expended in the public service. If it was to be an honorarium it should have been asked for as such at once. It had been said by the honorable member for the Taieri that, if the money were given to Sir Julius Vogel, it would be no great burden on the people of the colony. He held that, if a burden was unjust, however trifling it might be it was a great burden. He was pained to hear the honorable member for the Taieri give that as a reason why the money should be paid. The Government were about to make great reductions in the public service, and many of the Government officers would be compelled either to lose their employment or give up some portion of their income. For Sir Julius Vogel to obtain from the House a sum of money to imburse him for most extravagant expenditure while he was on a mission which was absolutely unnecessary, would be a most wrong thing. It would be impossible to pass this vote without throwing a lasting blot on the fame of the Parliament of New Zealand, and it would be quoted for all time as a wrong act. He hoped honorable gentlemen would, before voting this money, reflect upon that point as well as upon the others which had been raised. He should decidedly give his vote against it, as he entirely agreed with what the Minister of Justice had said. He felt assured that now, in a time of great pecuniary distress and difficulty, the payment of this sum would be felt. Every home in New Zealand must contribute something towards the payment of this £3,000, making up an extravagant expenditure which, he believed, would considerably exceed £10,000. It was excessively wrong to refer, in the way that had been done, to the mission of Sir William Fitzherbert. He was in England at the time, and he declared that Sir William Fitzherbert's work was great in every way. He reflected credit on the colony, and his conduct excited admiration in England. He (Sir G. Grey) should say no more on this matter, but he must protest solemnly against the vote. He should do his utmost against any such charge being made upon the people of New Zealand.

Mr. W. WOOD felt bound, as a duty to his constituents, to vote against this item. He did not wish to lay himself open to the charge of ingratitude to any one who was said to have conferred great benefits on the colony, but he questioned whether Sir Julius Vogel's services had been an unmixed good to New Zealand. He had very great doubt on that question. There was no doubt that that gentleman had played a very important part in the colony, and had received the support of a very large portion of the community for a very considerable time. The time might come when they might consider whether a gratuity might not be paid to Sir Julius Vogel as an acknowledgment for his services, but he felt bound again to give his vote against this demand.

Mr. ROWE said the honorable member for Akaroa had stated that, had this money been paid to Lady Vogel, he should not have so much hesitation in voting it. If his honorable friend

*Sir G. Grey*

had contracted this debt of £3,000 he would have felt bound in honor to use every legitimate means to get the money paid. He believed Sir Julius Vogel had spent every shilling of this money. He did not know whether the money was to go to Sir Julius Vogel, to his family, or to any other person. He believed the money would go to replace what Sir Julius Vogel had absolutely spent in his mission to England, and, if so, he (Mr. Rowe) would be perfectly satisfied. He entertained different views from those expressed by several honorable members who had spoken on this subject. No vote that he had ever given in this House would afford him greater pleasure than the vote he would give in favour of this sum being passed, because he believed it had been righteously earned and was well deserved, and that in voting this amount they would not have paid Sir Julius Vogel all the colony was indebted to him. He looked upon Sir Julius Vogel, and had looked upon him for years past, as one of the most able, most honest, and most consistent politicians that New Zealand had ever seen, and one certainly who had effected more good for the colony than any other politician who had ever been connected with it. It was true that he did not approve of some of his actions. As to the extravagance talked about, the fault was that of the colony as a whole. Sir Julius Vogel proposed a policy which he believed was in the interest of the colony, and the people got quite as extravagant, if not more so than, Sir Julius Vogel. Everybody rushed to get what could be got out of the borrowed money. He did not blame Sir Julius Vogel more than he blamed the Parliament of New Zealand. No doubt they had learned wisdom from experience. He was exceedingly pleased that Sir Julius Vogel had been appointed Agent-General last year, and he had been especially pleased at his conduct in connection with the office. No man could fulfil the duties more thoroughly and earnestly in the interests of New Zealand. He should vote with pleasure for the amount being paid.

Question put, "That the item be omitted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	21
Noes	...	...	...	...	38
Majority against	...	...	...	...	17

#### AYES.

Mr. Baigent,	Mr. Murray,
Mr. J. C. Brown,	Mr. Nahe,
Mr. De Lautour,	Mr. Sheehan,
Mr. Dignan,	Mr. Stevens,
Mr. Fisher,	Mr. Swanson,
Mr. Gisborne,	Mr. Takamoana,
Sir G. Grey,	Mr. Tole,
Mr. Hamlin,	Mr. W. Wood.
Mr. Hislop,	<i>Tellers.</i>
Mr. Joyce,	Mr. Hodgkinson,
Mr. Montgomerie,	Mr. Rees.

#### NOES.

Major Atkinson,	Mr. Macfarlane,
Mr. Ballance,	Mr. Manders,

Mr. Barff,  
Mr. Beetham,  
Mr. Bowen,  
Mr. J. E. Brown,  
Mr. Burns,  
Mr. Curtis,  
Sir R. Douglas,  
Dr. Henry,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Johnston,  
Mr. Kelly,  
Mr. Kennedy,  
Mr. Lumsden,  
Mr. Macandrew,

Mr. McLean,  
Mr. Moorhouse,  
Captain Morris,  
Mr. Ormond,  
Mr. Reid,  
Mr. Richardson,  
Mr. Rowe,  
Mr. Seymour,  
Mr. Sutton,  
Mr. Wason,  
Mr. Williams,  
Mr. Woolcock.  
*Tellers.*  
Mr. Reynolds,  
Mr. Shrimski.

The motion was consequently negatived.

Mr. BURNS wished to draw attention to the fact that the bonus for iron production which used to be on the Estimates had disappeared. As iron was the foundation of all their industries, he thought it would be a good thing for the Government to consider whether they could not see their way to put the bonus on the Estimates again. They might issue a fresh set of regulations in regard to it. He thought it would be as much good to the country as the bonus for beet-root sugar, and other things.

Mr. STEVENS said, with regard to the work, "New Zealand Grasses," he would like to know whether any progress had been made.

Sir G. GREY said a great deal of progress had been made. There was a difficulty in getting paper for printing some of the plates.

Mr. BURNS asked if the plates were being executed in the colony.

Sir G. GREY said they were. They could be better executed in the colony than anywhere else. We certainly had quite as good artists for the purpose as could be found elsewhere.

Item, £30,852 3s. 10d., agreed to.

Exchange and Commission, £2,500, agreed to.  
New Zealand Institute, £500, agreed to.

#### DEFENCE LOAN.

Roads, Native districts, North Island, £12,000, agreed to.

#### LAND FUND.

Crown Lands Department, £20,348 12s., agreed to.

Surveys, £155,529 3s. 4d.

Mr. J. C. BROWN called attention to the item, "Chief Surveyor, Otago District, £600, also, Public Works, £300." He wished to know why that officer received £900 a year. The gentleman who filled the office had been several years in the service of Otago at a salary of £600 a year, and considered himself well paid. He could not imagine why it was proposed now to increase his salary by £300, particularly as they were talking of keeping salaries down as much as possible. He thought there must be some mistake in this item, although these were the Estimates of the late Government.

Mr. STOUT also thought that there must be some mistake. It could never have been intended that the Chief Surveyor of Otago should receive £900 a year.

Mr. MACANDREW said that, as there was evidently some mistake, it would be as well to pass the item, leaving it to the Government to rectify the matter.

Mr. GISBORNE called attention to the items, "Surveyor-General" and "Assistant Surveyor-General." He was aware that Mr. Thomson was appointed Surveyor-General, but he was not previously aware of the appointment of an Assistant Surveyor-General. He wished to know who that officer was, why he was appointed, and why the Chief Surveyor of Wellington could not perform the duties of Assistant Surveyor-General, at a slightly increased salary, if such an office were necessary. Then, again, if it were necessary to appoint an Assistant Surveyor-General he wished to know why another officer was placed above the Chief Surveyor of Wellington, who was understood to have been a competitor with Mr. Thomson for the office of Surveyor-General. If the Chief Surveyor of Wellington was possessed of sufficient ability to rank next to Mr. Thomson for the office of Surveyor-General,—and there was no doubt of his ability,—he was surely the fittest man to fill the office of Assistant Surveyor-General.

Mr. ROWE observed there was an item, "Mining Surveyor, £300," set down for Auckland. There was no necessity for a Mining Surveyor at Auckland, and, if such an officer were required at all, he should be at the Thames; but there was no provision for a Mining Surveyor there. This seemed to be an attempt to create a new office.

Sir G. GREY might say that something would be struck off the vote for the Province of Auckland, but he was not yet quite certain where the reduction would be effected. He would inquire further into the matter.

Mr. ROWE was very much afraid that somebody would get the money if it were passed. He might say that some residents of the Thames brought under the attention of the late Attorney-General, then Resident Minister at Auckland, the fact that reductions could be made at the Thames in the Survey Department. The result was that savings to the amount of £2,000 a year were effected. Among others, the salary of the Mining Inspector was struck off.

Mr. SHEEHAN said the item was put on the Estimates by the late Government. The present Government would reduce the expenditure where possible.

Mr. MACANDREW could assure the honorable gentleman that great reductions would be made in the Survey Department. From conversations he had had with the head of the department, he was led to believe that the expenditure could be reduced by nearly one-third.

Major ATKINSON said he thought, if so great a reduction as one-third were made in the Survey Department, the surveys would not be nearly so satisfactory as they were at present. The Surveyor-General was inclined to keep down the permanent staff, and to do as much as possible by contract. However, he felt sure that a less sum than was now on the Estimates would not enable the department to be worked properly. The

system of survey carried out in Otago was no doubt very good, but in other parts of the colony the work was not at all satisfactory.

Mr. MACANDREW said the Government would do nothing to prejudice the efficiency of the service. The Surveyor-General had informed him that a great saving could be effected.

Mr. ROWE thought £25,000 far too much money to spend in Auckland on surveys in one year.

Mr. REID was sorry to hear the Minister for Lands say he could make so large a reduction in the Survey Department. The Surveyor-General and himself had had many conversations before the present Estimates were made out, and that officer had informed him that the sum put down was the lowest for which the department could be worked. It would not be economy at all to reduce the staff, because that would mean that less work would be done. The difficulty now was that the department could not find sufficient men to carry on the work. It would be absurd to make reductions in the department with the view of saving outlay. Honorable gentlemen should remember that before land could be sold it would have to be surveyed. A sum of £3,000 was put down for surveys under the Native Lands Act. He knew of many cases in which, for want of a small expenditure on the part of the Government, large blocks of land were lying idle, because the Natives had not the money to pay for the survey of them. It would be wise policy on the part of the Government to have such lands surveyed by their own staff. At present they were surveyed by men who frequently were not responsible at all. He hoped the item would be passed; and, of course, if the surveys were not made, the money would not be spent. He trusted that the salaries of the officers in the department would not be cut down, because he knew the officers were not overpaid. He might point out that there was a great outcry in many parts of the country because the lands were not surveyed fast enough. With regard to what had been said with respect to the salary of the Chief Surveyor of Otago, he also was of opinion that there was a mistake. This appropriation would only commence from the 30th June next, but the officer in question was fulfilling the duties of provincial surveyor and officer in charge of public works for some time before June. The salary was only £600 a year.

Sir G. GREY said the honorable member for Egmont had informed the House that, it being his duty to look into these things, he had gone carefully into the matter and found that no reduction could be made. The present Government being in power, it was their duty to look into these things. They had done so, and they found that reductions could be made. That was one of the advantages of a change of Government.

Mr. MONTGOMERY pointed out that the cost of the surveys in Auckland, Taranaki, Wellington, and other provinces for the past quarter had been considerably in excess of the receipts from the sales of land in the same districts. He trusted that the Minister for Lands would look into the matter, and see whether so much money

*Major Atkinson*

should be spent on surveys in proportion to the returns from the sale of lands, and that he would not be deterred by the statement of the honorable member for the Taieri that all those large expenses were necessary. Those expenses should be cut down, as they were more than necessary.

Mr. SHEEHAN said there were two reasons why the surveys in the North Island had exceeded the amounts received from land sales. Most of the land had not become waste lands of the Crown; they were in a transition state, and the surveys were required to render them available for settlement. A good deal of the land had been given in satisfaction of Volunteer scrip, and therefore the land which had been put into the market had been taken up under scrip where cash ought to have been paid. However, that state of things would soon cease, as in six months' time there would be no more Volunteer scrip.

Mr. MONTGOMERY had not heard that explanation given before. He would look into this matter of Volunteer scrip, and perhaps refer to it at some future time. He only wanted to know why the colony should spend so much money with so little to show for it, and he hoped that his honorable friend the Minister for Lands would see that economy was practised.

Mr. MACANDREW said that the Surveyor-General had been appointed nine months ago, and he believed it was the best appointment the colony could have made. He was a most efficient officer, and had been in the public service of Otago for eighteen years. He was a practical man, and the surveys of that province were very much indebted to him. Altogether the colony was very fortunate in having secured his services.

Mr. BOWEN said that it was all very well to talk about economy in the conduct of the public service, but they must consider where economy could best be exercised. The surveys had been in arrear all throughout the colony. He did not know anything that required greater reform than the survey system throughout the colony. We must see that the surveys are uniformly kept up in both Islands. Land purchasers had been kept out of the land long after they had paid for it, and there had been universal complaint. Within the last few years everybody had been blaming the Government, and complaining that no adequate steps were taken to bring up the surveys. It would be unwise to attempt an economy which will retard the settlement of the country. The honorable gentleman would find that he would not be able to economize one-third, or anything like one-third, on these Estimates, if he really intended to carry out the surveys properly.

Mr. ROWE said the remarks of the honorable member for Kaiapoi formed the strongest argument that could possibly be adduced for economy. There was no branch of the public service upon which more money had been wasted than upon the Survey Department. Economy should be exercised, and a greater amount of care taken in the surveys than had been bestowed in the past. During the last ten or twelve years the surveys had cost an enormous amount, and, if work had been done for the money paid, the

surveys would not now be so far behind — they would have been brought up to a proper state. There was, therefore, a necessity for exercising care in connection with this matter. He thought a portion of the survey work should be done by contract.

Mr. GIBBS approved of the statement that they should endeavour to secure value for the money expended. In Nelson the arrears of surveys were very great. There were deposits in the Land Office for land that should have been surveyed long ago, and which was not yet surveyed.

Mr. KELLY thought the surveys should be done well and efficiently, for it was false economy to get the surveys done cheaply, as that generally involved inaccuracy. Contract surveys would not answer in some parts of the country, especially in bush country, where contract surveys could not be relied on. He hoped, above all things, that the Minister for Lands would see that the surveys were done accurately, as cheap surveys were a great mistake.

Item, £155,529 3s. 4d., agreed to.

Survey Offices, £4,540, agreed to.

Miscellaneous, £96,150.

Mr. SHEEHAN moved the omission of the items, "Honorarium to Sir Penrose Julian for services in connection with Sinking Fund of Canterbury loans, £105," and "Grants to Counties, Road and River Boards, £80,000." The latter was omitted simply on a technical ground as to whether it was necessary to be voted on the Estimates.

Item as reduced, £16,045, agreed to.

#### TRUST FUND.

Government Insurance Account, £12,770.

Major ATKINSON would like to have some statement as to what the Government proposed to do in this case. It was the intention of the late Government not to appoint a Commissioner of Annuities, and they proposed to introduce an Act providing that, in future, the department should be managed by a Board. The powers given to the Commissioner were enormous, and were not at all safe for one man to exercise.

Mr. SHEEHAN said the Government had not yet fully considered the subject. Before the Appropriation Act was passed he would again call attention to the matter.

Mr. SWANSON thought the best course would be for the Government to withdraw the item, and if they found it necessary they could bring down the item afterwards in the Supplementary Estimates.

Mr. REYNOLDS did not know any department of the Government which required more careful management than this. He had known cases in which people who were refused by other offices were taken by the Government Insurance Office. He thought there had been a want of proper supervision. He thought the department should be put directly under a Minister.

Major ATKINSON differed entirely from the honorable member for Port Chalmers. He thought it would be very objectionable to place the department under a Minister, as there were strong

reasons why political power should not affect the office at all. If a Minister was to have practical power over it, then, of course, political power would be apt to affect it.

Mr. ROLLESTON moved, That the item "Government Insurance Commissioner, £800," be omitted.

Mr. SHEEHAN said that the argument of the honorable member for Egmont would apply equally to the Minister of Justice or the Minister for Lands. He thought the vote should be left as it stood. If they could dispense with the vote, and if it were desirable to appoint a Board, the House would have sufficient time to decide. He was not prepared to admit that it was desirable to have a Board. That Board would be composed, probably, of men already holding office, and, by the usual mysterious process, their salaries would grow until each had as much as the present Commissioner.

Major ATKINSON said this was not a question of how much it would cost. It might pay to give a Commissioner £2,000, if he did the work properly. He thought the best plan would be to strike out the vote. If the Government afterwards came down and told the House that it was determined to appoint a Commissioner, a sum could be placed on the Supplementary Estimates. He was sure they could not get a competent man for £800. He knew Sir Julius Vogel tried to get one or two competent men, but they wanted double that amount, and it was very doubtful whether they would come for that.

Mr. REYNOLDS thought it would be better to leave the vote as it was. They could depend upon the Government giving the House full information before the Appropriation Act was passed. If it were decided to have a Board, they ought to have more Commissioners than one, who ought to be in the centres of population, and not confined to Wellington. The great bulk of the business was not done in Wellington.

Major ATKINSON.—The whole of it is done in Wellington.

Mr. REYNOLDS.—On reports from the other provincial districts. It was in the outlying districts that the greatest care was required, and far more business was done outside of Wellington than in it.

Mr. KELLY thought every department of the Government should be brought within the influence of the Ministry and of the House. He demurred altogether to a department of this kind being in the hands of an irresponsible Board. One good head would manage it much better than four indifferent ones. There would be no unity of action in such a Board as there would be in case of only one head. The Government ought to get a thoroughly good man for the position, even though they had to pay a high salary.

Mr. MONTGOMERY thought that the department should be quite free from all political influence, and also that there should be a good man at the head of it. But they could not get a first-class man for £800 a year. He preferred one head to the department to its being managed by a Board. It required very close looking after, and he believed there had been lives taken which



should never have been insured. He had also heard that the insurance money had not been paid in some cases for very good reasons, and that the survivors did not dare to sue, because they knew that misrepresentations had been made. He thought the Committee might pass this vote, and then the honorable member in charge of the Estimates might come down afterwards with another sum sufficient to pay the salary of a good officer. There should also be good officers appointed in the centres of population throughout the colony.

Mr. J. C. BROWN would point out that there was nobody yet appointed to this office, and, as six months of the year would have elapsed at the end of next month, the £800 would be quite sufficient to pay the best man for the remaining six months.

Mr. J. E. BROWN said that, from some complaints that had been made to him with regard to this department, he thought it would be in the interests of the colony that a good man should be appointed to the head of it. He quite agreed with the honorable member for Port Chalmers that it was not in Wellington that the risk was incurred, but it was taken by the agents throughout the colony. He had had a case brought under his notice quite lately of a man in Canterbury whose life was insured by this office for £3,000, and whose life he would not have insured for £100. The whole solvency of the department depended upon the chief agents in the centres of population. As for a Board, it simply meant that three or four of the present officials who were now drawing £700 or £800 a year would be appointed as a Board, and would get their salaries supplemented by an extra £200 or £300 a year. It would be a great mistake to put any of the present officials at the head of the department, which required the most active and closest scrutiny. He would call attention to the item "Four Chief Agents, £1,600." From information he had received, he believed it was the intention that one of these agents should receive £800, and that the remaining £800 was to be divided amongst the other three. That would be manifestly unfair, and he thought the honorable member in charge of the Estimates might insert the word "each," so as to show that the agents were to be treated alike.

Amendment negatived.

Mr. DE LAUTOUR would draw attention to the fact that under the commission system, which, no doubt, was the best, there was a tendency, in the centres of population, for the agents to look too much after the big sums, and not to push the smaller sums as much as they ought to do. One of the objects of this institution was to encourage providence in artisans and persons of that class, and he feared that was that rather overlooked, as it was much more advantageous to the agents to press the larger sums.

Mr. SHEEHAN, in reference to what the honorable member for Ashley said, might point out that, although £800 might be too much to give to one chief agent when three others were to have only the same amount divided amongst them,

*Mr. Montgomery*

still there were differences in the value of services which must be considered.

Mr. MACANDREW thought there was a good deal of force in what the honorable member for Mount Ida said; and not only the Government, but every member of the House, and every person in the colony, should act as an insurance agent in trying to induce others to insure their lives and make provision for their families.

Mr. SWANSON would suggest that Ministers should commence with the Civil servants and make them insure, as they were rather fond of coming to the House for assistance.

Sir G. GREY might say that only that very day he had done something in that direction.

Mr. MURRAY-AYNSLEY would point out that the Government could easily carry out the idea of getting the smaller insurances, by giving a larger commission on small sums and reducing the rates for the larger.

Item, £12,770, agreed to.

Native Reserves Account, £1,355.

Mr. ROLLESTON called attention to the item, "Commissioner (also Native Lands Frauds Prevention Act, £100), £100." He thought that represented a much larger sum than was down on the Estimates. He believed there was a salary of £200 paid to the gentleman holding this office, but that it was in the Native Trusts Account, and did not appear in the Appropriation Act.

Mr. SHEEHAN might say that he was not at all satisfied with the manner in which the Trust Accounts were being kept, and was having an inquiry made into the whole matter.

Mr. ROLLESTON held a strong opinion that those accounts should be placed under the Public Trustee, who, with the Native Trustees, could act as a Board of Management. Some of these Native Trusts had been devoted to other objects than those for which they were created. For example, they had been alienated in the interest of certain religious bodies, and of municipal bodies. The account of these Native Trusts would, he feared, form a sad page in the history of New Zealand.

Mr. SWANSON thought that the Natives should get the management of these affairs themselves, as it would show them that they were getting fair-play. He knew the Natives were under the impression that these reserves were made for the benefit of certain European officers.

Mr. SHEEHAN said that when the Act of 1873 was passed he took the objection which the honorable member for Newton now took, and contended that the Natives should be made to take an interest in the matter themselves, and that there were some of the Natives who were perfectly competent to be intrusted with the management of the reserves. He understood from the late Sir Donald McLean that steps would be taken in that direction in the following year; but nothing was done. If the present Government were in charge next year, they would introduce, in addition to the Native Lands Bill, a measure to deal with these reserves.

Item, £1,355, agreed to.

## PUBLIC TRUST OFFICE.

Public Trust Office, £1,240, agreed to.

Progress was reported, and leave given to sit again.

The House adjourned at a quarter to two o'clock a.m.

## LEGISLATIVE COUNCIL.

*Tuesday, 27th November, 1877.*

**First Readings—Second Reading—Third Reading—Jackson's Bay—Kakanui Harbour Board Bill—Peninsula County Bill—Education Bill—Taranaki Smelting Works Bill—Canterbury Roads Bill—Foxton Harbour Bill—Southland Boys' and Girls' High School Bill.**

The Hon. the **SPEAKER** took the chair at half-past two o'clock.

## PRAYERS.

## FIRST READINGS.

Westland and Nelson Coal Fields Bill, Oamaru Harbour Bill, Public Libraries Bill, Food and Drugs Bill, Mining Companies Bill, Crown Recess Bill.

## SECOND READING.

Roxburgh Reserve Bill.

## THIRD READING.

Christchurch Reserves Bill.

## JACKSON'S BAY.

The Hon. Captain **FRASER** asked the Hon. the Colonial Secretary, Whether it is the intention of the Government to continue the present rate of subsidy to the Special Settlement at Jackson's Bay? The interest he took in the unfortunate Italians at Jackson's Bay prompted him to ask this question. It would be found in the report of the Government Agent that it was particularly stated that there was no clergyman whatever in the settlement to check immorality, there was no doctor, and no capitalist had found his way there to develop the resources which, he sincerely believed, merely existed in the report. The Agent himself honestly declared that he had no wish to impose on the Government or on the people. He said the settlement had cost £20,000, and without further subsidies it must collapse. He (Captain Fraser) would take the liberty of suggesting to the Colonial Secretary that during the recess he might utilize that very expensive toy, the "Hinemoa," and visit the settlement, in order to judge by personal inspection whether it could not be put a stop to, or, at least, whether he could not bring back a great number of those Italians, who were almost prisoners down there, with the mountains at their back, with the sea in their front, and with no money in their pockets.

The Hon. Colonel **WHITMORE** said that very soon after entering office the Government had had their attention called to this matter, and no doubt there was very great occasion for action being taken in that direction. A Royal Commission had been appointed, or was in course of appointment, and the whole subject would be fully

investigated. If absolutely necessary, some such step as the honorable gentleman suggested might be carried out.

## KAKANUI HARBOUR BOARD BILL.

The Hon. Colonel **WHITMORE**, in moving the second reading of this Bill, felt that he had an onerous task before him to induce honorable gentlemen to give a favourable reception to this measure. He confessed he had great diffidence in attempting to do so much justice to the subject as to weigh against the strongly expressed opinions which they heard last night from honorable members; but he hoped to be able to convince the Council that this was not a Harbour Board Bill such as they had been commonly accustomed to. It was not a prospective proposal dealing with the future, but it was rather an appeal to honorable members to enable the Council to validate the past, and a past which had been, as regarded this harbour, eminently productive of success. It appeared that this little Harbour of Kakanui had formerly no trade whatever, and there were no means of getting a sea export for the produce of the country, until, out of the North Otago Loan, £5,000 was devoted to the improvement of the harbour. As he was informed, this was one of those coast lagoons, something of the same character as Milford Lagoon, which had always been stated by marine engineers to be capable of improvement, and of affording accommodation to vessels of tolerably large size. Encouraged by the grant from the North Otago Loan, works were undertaken, and it soon became evident that, if sufficient money could be obtained to carry out the works to a complete conclusion, there would be a really excellent harbour created there. A further sum of £5,000 was voted by the Otago Provincial Council, and, had that Council met again, they would doubtless have subsidized the work until it was completed. Unfortunately for the district, the Legislature of this country put an end to the Provincial Council. Nevertheless, thinking that a paternal Government, which had taken over the powers of the Provincial Council, would be not less liberal than the latter body had been, the residents in the district had directed on their own security the incurring of an outlay, he believed, of £8,000, to complete the harbour works. This sum was practically unsecured, excepting upon the personal responsibility of certain people. Well, the works were finished, and this harbour, which was never before able to accommodate anything larger than a small hooker, was regularly entered by a steamer called the "Samson," which plied there very frequently. It was therefore an established and recognized success. There was no more money wanted for the creation of a harbour; although he saw borrowing powers were put on the Bill, he was not quite prepared to say that there was any great necessity for them. The real point was to obtain a grant of so much land as would realize enough to pay off the debt due on the construction of the harbour. It was frequently argued in the Council, as a reason why they should make short shrift of Harbour Board proposals, that such

proposals simply amounted to throwing money into the sea; but in this case money was not to be thrown into the sea in the sense in which they understood that phrase, because there was no doubt about the useful application of the money. They knew that in this matter they would be paying for value received. It was not an experiment, but an accomplished fact, and it was only to place this neighbourhood in the same position as other districts which had received State-aid and provincial aid that this question was before the Council. It seemed hardly a fair thing, when the district had run the risk of a success or otherwise, when they had fair encouragement to enter into the matter, and when they certainly would have received enough funds to complete it had provincial institutions continued, that a few individuals there should be made personally liable for this money. There was no part of the Bill, with the single exception of the endowment, that was not quite an open matter, that might be altered without in any way disappointing the promoters. He did not disguise the fact that the proposal for an endowment of 8,000 acres was the real object of the Bill; and so strongly did the Government feel that this district had a fair claim that, had it been possible, considering the finances of the country, they would have placed the sum on the Estimates. But the Estimates were so overloaded with charges formerly omitted, and charges which had been placed upon them in another branch of the Legislature, and by old claims, such as, for instance, Sartoris, Downe, and others' claims, which must be met, that the Government did not see their way to provide money in that manner. Then there were the provincial liabilities, and that was the place in which they should properly appear. But the only mode of preventing the £660,000 now ascertained swelling into probably more than a million, would be for the Government absolutely to resist putting any more charges upon that account. If the process were to go on, as was attempted to be done daily, of putting more and more charges upon the provincial liabilities, they would go on increasing from circumstances arising years after the provinces were extinguished. The question arose, Was that system to be continued? Was there to be any finality to provincial liabilities? The Government mentioned, without reserve, that that was the place where these charges might properly have appeared. He admitted also that what honorable members had said in the Council was quite true—that land was money. The 8,000 acres of land asked for in this Bill was practically £8,000 worth of land. That sum was a charge which the country by law ought in all fairness to pay to the district from some source or another. It was a work commenced with the approbation of the local Government; money was provided for it from time to time; and nothing but the accidental circumstance of the form of government coming to an end had placed that neighbourhood in the position of being burdened by a large deficit. He was told that there was no dispute on the part of any person that the harbour created there was one which seemed im-

*Hon Colonel Whitmore*

possible at first, but which seemed now likely to be a permanent improvement to that part of the country. He did not suppose that he could induce the Council to break their rule by his advocacy of this matter, but he submitted that this was an exception. It was not one of that description of Bills against which they had taken a distinct course. It was not a proposition for the expenditure of money that might turn out to be a piece of folly or an entire loss. It was to pay the balance remaining on the security of certain persons for a work which had proved an unmistakable success. That was the only ground on which he urged honorable gentlemen to regard this Bill differently from other Bills of a similar character. He did not absolutely say that there might be no possible means found of providing for it otherwise; but there was no way by which it could be placed on any other footing so as to provide for the money, without opening the door to a great many claims which it would be very difficult for any Government to resist.

The Hon. Sir F. DILLON BELL regretted to be obliged to oppose the course which his honorable and gallant friend had just recommended the Council to take. In the first place, supposing the proposal before the Council was one which only asked Parliament to consider the propriety of making an endowment for the Board to make a Harbour at Kakanui, he would oppose it on the same grounds on which he had opposed others: that was to say, it would be a most suicidal thing for the colony, after having gone to the expense of making a harbour at Oamaru, and of making a railway to bring to that port the produce of Oamaru district, immediately to set up a rival port within a few miles. Under any circumstances, therefore, he would be equally obliged to disagree with the proposition of the honorable and gallant gentleman. In this case there were circumstances which made it impossible for the Council to listen to the proposition. He was not accusing the honorable gentleman of doing more than taking up, with a want of due regard to public interest, a proposal which had passed in the House of Representatives. But no Government ought to take up an *ex post facto* proposition of this kind, the undisclosed object of which was to enable a large payment to be made to certain contractors for the execution of works which there was no authority to enter into a contract for. If they once made a precedent so pernicious as that, they would be offering a premium to all those in authority to go outside their proper functions, and to enter recklessly into illegal contracts and engagements, which afterwards the Council would be asked to ratify on the sole ground that if they did not ratify them they would be causing loss to the contractors.

The Hon. Colonel WHITMORE.—The guarantors.

The Hon Sir F. DILLON BELL did not want to refer to any guarantors; but, if he would have been inclined to listen with some compassion to a proposition for saving contractors from loss in a matter of this kind, there was surely no reason for saving the guarantors from any loss arising

ing out of a transaction which they knew to be without authority of law. But the point at issue was of far greater consequence than that; and the Colonial Secretary had done injustice to himself when he disclosed the opinion of the Government to be that such a claim as this ought to be placed to the Provincial Liabilities Account, but that they did not think it would be expedient to place it there, lest they might thereby be opening the door to claims which might ultimately amount to a million. In the matter of the Provincial Liabilities Account the present Ministers were not yet to blame, but they would be very seriously to blame if they accepted as provincial liabilities sums which had only been put down as probable claims which might be advanced. He (Sir F. Dillon Bell) denied that these claims ought to be admitted yet as provincial liabilities. He denied that Parliament had acknowledged this amount of £661,000 as a provincial liability, and the Government ought not to acknowledge such a sum without a most thorough sifting and examination of each item by the House of Representatives. If the Government did their duty in the other House, the Council might rely upon it that, instead of the account growing, it would be reduced very much below the amount named in the Financial Statement. If all these claims were to be called provincial liabilities, the colony would be driven into a recognition of such claims as those of the Messrs. Brogden, which had so long been in dispute. The more encouragement they gave to these fictitious claims, or gave any implied promise or agreement to pay them, the more reckless Parliament would become in the admission of them by-and-by. For his part, he protested against the doctrine that they were at all bound to treat this Kakanui contractor's claim as one which, if they did not satisfy now in the way proposed, they would be obliged to meet in a larger form under the Provincial Liabilities Account. If it were a liability of any one, it was a liability which the Colonial Secretary described as having devolved upon somebody by reason of the change which had been made in the form of government by Abolition. Was he doing any injustice to his honorable friend's argument in putting it that way?

The Hon. Colonel WHITMORE said he had argued that, as they were promised by the Provincial Government, and had gone on in expectation of funds which had been promised them, the loss was one which would come upon them through the change in the form of government.

The Hon. Sir F. DILLON BELL then submitted that his honorable and gallant friend could not escape this conclusion: that the proper place in which it should have been decided whether there was a liability devolving upon the colony was the House of Representatives, and the proper persons to advise the House as to whether the liability was one which was really incurred by the Provincial Government and ought to devolve upon the colony, were the late Superintendent of Otago and those who were in office with him at the time. These alone could advise the House of Representatives upon that

point, which was one upon which there was no information in the Council. His honorable and gallant friend did not say that this must necessarily be admitted as a provincial liability; but the honorable gentleman must see that, if it were once admitted as a provincial liability, all excuse would fall to the ground for taking this means to satisfy it, because, if it was a provincial liability, it ought to be placed in the same rank as many other provincial liabilities which the colony was going to pay, as he (Sir F. Dillon Bell) thought very unjustly, and which would fall heavily upon the consolidated revenue of the colony. He was not convinced by the argument which the Colonial Secretary had adduced to persuade the Council to condone a wrong; and therefore, though with very great regret for the loss the contractor would suffer, he must move, as an amendment, That the Bill be read a second time that day three months.

The Hon. Mr. HOLMES said the Colonial Secretary had given such a fair and lucid explanation of the Bill that there was little or nothing left for him to say on the subject, except to speak of his own knowledge of the locality and what had been done there. There was no doubt that this was essentially a payment which ought to have been made by the late Provincial Government. The usual course in contracts like that of the Kakanui Harbour was that money was voted from time to time as the works proceeded. First £5,000 was voted by the Provincial Council, afterwards another £5,000 as part of the North Otago Loan, and then it was expected that, in the usual course, a further sum to complete the works would be granted by the Provincial Council. What fixed the matter was the fact that, before making a contract, the members of the Harbour Board submitted the plans, specifications, and probable cost to the Provincial Government of the day, who acquiesced in the propriety of accepting a contract. They had all heard from time to time of the progress that had been made with the work, and of its success. It had been visited by members of the Provincial Council and of the Colonial Government with the object of seeing that the work was going on well, and that the money was being properly spent; and every one who had visited the place was surprised that the success was so much greater than the expectations at first entertained. He held, therefore, that the contractor, who entered into the contract under the conviction that he had behind the Harbour Board the Provincial Government as paymaster, would be very hardly used indeed if he did not get his money. The contractor had no one to look to now but the Colonial Government. It had been said that there were some guarantors, but there were none at all. There were only the members of the Board, and the Harbour Board Act kept them free from any personal liability. Therefore the contractor had only one resource, and that was the Colonial Government, as successor to the Provincial Government. Already the contractor had been more than a year waiting for his money. This had already been a serious loss to him, because he had not been able to enter into other contracts, in consequence of

his capital having been locked up; and the case was really a hard one. With regard to the success of the scheme, he might say that when the work was undertaken there was a wide shingle-bank six feet above high-water mark, and, after the work was completed and the first flood came down, the whole distance between the piers was cleaned out to a depth of fifteen or sixteen feet, and it had remained at an average depth of ten feet ever since, allowing, as the Colonial Secretary mentioned, a steamer of considerable size to go in and out, besides affording accommodation for other vessels. He held that, in addition to all that, this particular locality had a claim owing to its large contributions to the revenue from the sale of land, a great deal of which had been bought at auction at from £2 to £4 an acre; and he would like any honorable gentleman coming from the locality to state if it had obtained any adequate return, in the shape of moneys spent on roads, bridges, and other works, as compared with the amount contributed to the revenue. The contractor had been in Wellington, and had presented a petition to both Houses of the Legislature, which petition had been favourably reported upon by the Public Petitions Committee. He held, therefore, that this case deserved the consideration of the Council. It was a case of hardship, and it was a case of right as regarded the district, which deserved to get this money, because it had not obtained a fair share of the land revenue. It had had nothing spent there of any consequence, although the amount derived from the sale of land had been very considerable. For these reasons, he had very much pleasure in supporting the second reading of the Bill.

The Hon. Captain FRASER said this matter came before the Public Petitions Committee, where an exhaustive inquiry was made into the whole subject-matter of the petition, and he thought it was quite evident that the contractors had been very harshly dealt with, and were fairly entitled to receive this money. Unfortunately the Committee were not in a position to tell the Government that it ought to pay the money, and they could only refer the case to the Government. He considered that, as the Colonial Government nominated the Harbour Board, it should be responsible for the action of that body. He did not in the slightest degree recognize any claim on the part of the district for the Kakanui Harbour, any more than that there was a claim in the case of Moeraki, and many other places; but he did recognize that these unfortunate contractors had a just claim. That claim would have to be paid—whether in acres of land which might be situated upon a mountain or in cash he did not know; but the Government would certainly have to pay it. The money, in fact, would have to be placed upon the Estimates. If the Council were going to take a stereotyped view of all these proposed endowments, well and good: let them throw out this Bill. But they would not in that way get rid of the liability. His honorable friend Sir F. Dillon Bell had spoken of fictitious claims as applied to the Brogden claims. He (Captain Fraser) would be very glad if they were fictitious, but he had reason to believe that it would be

found that they were based upon real works outside of the contract for the Clutha Railway.

The Hon. Sir F. DILLON BELL explained that he did not express any opinion as to the claim of Messrs. Brogden. He said that they would be opening the door, by passing this Bill, to fictitious claims, and that if they allowed this claim they might be driven to recognize Messrs. Brogden's claims, and a great many other fictitious claims. He did not mean to express any opinion about Brogden's claims being fictitious, but said that the Council would have to recognize a great number of fictitious claims.

The Hon. Captain FRASER had reason to believe, many months past, that at any rate some of Messrs. Brogden's claims were not fictitious, and especially those in connection with work outside the contract for the Clutha Railway. He was told of this seven or eight months ago by the engineer, who knew perfectly well what he was saying. In justice to the unfortunate contractors in the Kakanui case the Council should allow the Bill to be read a second time.

The Hon. Mr. MILLER thought the more this transaction was inquired into the more lamentable it would appear to be. There could be no doubt whatever that the contractor had been very much at fault, and also that he had been very hardly used. The Harbour Board had been very much at fault, and he was afraid the Provincial Government had been very much at fault. Notwithstanding that he sympathized most thoroughly with the contractor, to whom a sum of no less than £9,500, he believed, was at the present moment owing, and notwithstanding that he did not pretend to deny that the work which had been done had been very well done, and, as far as it went, was a great success, he had no doubt whatever as to what his duty on the present occasion was. As a member of the Council, he had not the slightest doubt that he ought not to vote for the second reading of this Bill: not that he would not wish to see everything done which could be done to satisfy what he conceived to be a just claim of the contractors, but because he was perfectly certain that, if the Legislative Council allowed themselves to be led away by any sympathies, however justly founded, to pass such a Bill as this, they would simply instigate irresponsible Harbour Boards and similar bodies to plunge into contracts which involved sums of money they had not got and which they might have no prospect of getting. In the present instance, it could not be said that the Kakanui Harbour Board saw no prospect of getting further sums, because it appeared that the Provincial Government, whether rightly or wrongly, did give its sanction to this undertaking; but there was no doubt in the world that the Harbour Board ought not to have entered into this contract. He thought that they took an advantage of the clauses which were inserted in all these Bills which they ought not to have taken, and he was perfectly certain that the Legislative Council would not pass a Bill like this. It would be tantamount to saying to similar bodies, "You can enter into what contracts you please, and you can become involved to what extent you like."

*Hon. Mr. Holmes*

You have only got to send up a claim, and say that the contractor who did your work has done it honestly, well, and faithfully, and the sympathy which will be created for individuals of this kind will insure the passage of your Bills." It was, he thought, quite unnecessary to enter into any discussion as to what the claims of the district might or might not be. The district, as the Hon. Mr. Holmes perfectly well knew, had always been included in the Oamaru District, and therefore whatever claims it had were associated with those of Oamaru. He very much regretted that the Petitions Committee to whom the petition of Mr. Allen was referred had put before the Council so meagre a report, which simply said that the Committee recommended that the petition of Mr. Allen should be referred to the Government. He believed that the Petitions Committee took an immense amount of evidence, and went thoroughly into the case. He believed, moreover, that every member of it was fully satisfied that this was one of the hardest cases that had yet come before them of this kind; but they were unable to do more than recommend that it should be referred to the Government. He had felt very anxious indeed to see that report, because he thought that, as well as other honorable members, he would have been able to make up his mind as to how he should act by the advice and suggestions of the Committee. The report, however, if it meant anything, meant what the Colonial Secretary had suggested—namely, that the sum due to the contractor, which he (Mr. Miller) admitted must be paid, and which he had no doubt would be paid, must be put upon the Estimates by the Government, and included as a portion of the provincial liabilities. That seemed to be the only proper way of dealing with this matter, and, considering that that would be done, he felt himself obliged to vote against the second reading of the Bill, although he would do so with very great regret.

The Hon. Mr. NURSE said that the honorable gentleman had complained of the meagre report of the Petitions Committee. He would not have risen had it not been for the remarks of the Hon. Captain Fraser, from which it would appear that the Committee agreed to recommend the payment of this claim.

The Hon. Captain FRASER explained that he stated, the question being a money one, that the Committee could do nothing more than refer it to the Government.

The Hon. Mr. NURSE said the Committee were not at all unanimous in their opinion of the merits of this case. So far as he was concerned, he would not have gone so far as the report of the Committee went had there been any alternative. It would be in the power of the Government to bring in a special Bill at any time to tax the people of the neighbourhood for the expenditure, which had been incurred in quite an unauthorized manner. He quite agreed with what the Colonial Secretary had said when remarking that this was not like other Harbour Bills, which it certainly was not, for the work had been done without any authority, and there was no money to pay for it; and then, of course, they

came to the Government. If the Council passed this Bill they would establish a most extraordinary precedent, and one that would encourage other Harbour Boards to rush into similar undertakings.

The Hon. Mr. PEACOCK could not understand the honorable gentleman saying that this would be an extraordinary precedent, because no other Harbour Board could be in the same position as the Kakanui Board was placed in. It must be remembered that the Board was constituted before Abolition took place, and got permission from the Provincial Government to proceed with this work.

The Hon. Mr. ROBINSON.—No.

The Hon. Mr. PEACOCK said that at all events it received the sanction of the Government by getting a sum of money voted. He had something to do with Provincial Councils and Provincial Governments, and he knew they very often got into the bad system of not ascertaining, before commencing a work, what its cost would be. They simply decided to undertake a work and placed a sum on the Estimates, and year after year sums were voted for the same work without its being known when it would end. He believed that the Provincial Government led this Board into error by promising to give them year by year as much money as they required. On the strength of that, the Board contracted, and he understood they had got a good work. But whether they had or not had nothing to do with the question. Having heard the Hon. Mr. Miller speak, he felt justified in voting against the amendment. He believed the proper course would be to include this money in the provincial liabilities, but, inasmuch as the Government said that was impossible, he would vote for the Bill, in order that the contractors might be paid. The Hon. Mr. Miller said the contractors had a just claim. Well, who could decide whether it should be paid so well as the Legislature of the country? There was no doubt that the intention of the Petitions Committee of this Council, in referring this claim to the Government, was that it should be paid; only, as it was a money question, they could not make a direct recommendation for its liquidation. The Government said, on account of the finances of the country being in such a bad state, this was the only way in which they could settle the claim. Well, if this were the only way in which it could be paid, he intended to vote for it. The Hon. Mr. Miller said that if the Council passed this Bill it would justify other Harbour Boards in undertaking similar works. That would not be the case, because other Boards would not have the same opportunity, there being no Provincial Councils: they would have to begin on their own account. He did not go into the merits of the harbour work, but considered only the justice or otherwise of the contractors' claim, and he was convinced that, if they did not pass this Bill, or provide a way in which the money could be paid, there would be a cost to the country of large sums in law expenses. If the claim was just it ought to be paid.

The Hon. Mr. PATERSON thought there

could be no doubt that the contractors in this case were entitled to be paid for the work done; the question was, Who was to pay the money? It seemed that the Harbour Board were authorized by the Provincial Government to proceed with certain works, and the Provincial Council voted a certain amount of money to pay for them. The first payment made was £5,000, and when the work was further advanced the contractors received another instalment of £5,000, voted by the same Council, making £10,000 in cash which they had received. It seemed that, in addition to that sum, liabilities had been incurred to the extent of nearly £10,000 on account of the same works, carried on under the same authority. There was no doubt that, the work having been done, it must be paid for by somebody; and the question was, Who was entitled to pay? It appeared to him that, the work having been authorized by the Provincial Government and partly executed under its control, and paid for out of its funds, the liability must be regarded as a provincial one, and ought to be distinctly classed under that heading. In addition to large borrowing powers, the Bill proposed that an endowment of 8,000 acres of land should be handed over to this Kakanui Board to be expended on its harbour. To this he objected, and he thought the best plan would be to throw out this Bill, and let the Government place this claim, which appeared to be a just and right one, to the account of provincial liabilities.

The Hon. Mr. BUCKLEY would vote for the amendment. If they passed the Bill he thought it would encourage other Boards to follow the same course. If this contractor had such a good claim, he would like to know why it had not been taken into account with the other provincial liabilities. It only amounted to £8,000. He had no hesitation in saying that if they looked into the provincial liabilities they would find very large sums placed there which had not such a claim to be there as this amount. He was at a loss to understand why this should be singled out of the provincial liabilities.

The Hon. Mr. ROBINSON said it appeared to him that they were departing from their duties altogether. They seemed to be resolving themselves into a Supreme Court. It was very hard for him to believe that any contractor would enter into an engagement without somebody being responsible to him. There seemed to be a difficulty in getting the money. The contractors came up here and set up a claim, and the Council resolved itself into a Supreme Court to try the case. It was perfectly certain that those contractors had a claim against somebody, and he had not yet heard it stated why the contractors could not get the money from those with whom they contracted. He was surprised to hear the Hon. Mr. Holmes say that Oamaru had been unfairly treated. The honorable gentleman said "Kakanui;" but did the honorable gentleman know that Kakanui was only seven miles from the Town of Oamaru? The District of Oamaru extended considerably beyond six or seven miles. Very expensive harbour works had already been constructed in that district. They had already

*Hon. Mr. Paterson*

expended £100,000 upon the harbour works; they had granted it an endowment last year of 60,000 acres; and they had made a railway right through the town. Now another harbour was wanted, six miles away; and yet the honorable gentleman said the district would be hardly dealt with if the Government did not pay this money. It seemed to him that this harbour was a perfect success, and was likely to be very remunerative. Those men had a claim against the Harbour Board. If the work was such a success, and such a benefit to the neighbouring district, why should the whole colony be called upon to pay the claim? He imagined that the harbour itself must be a valuable property, and why should not the whole district be liable for this debt? The Hon. Captain Fraser had alluded to remarks made by the Hon. Sir F. Dillon Bell as to fictitious claims. Now, fictitious claims were of two kinds. A man might make a fictitious claim having no just claim at all to what he wanted to get. The other kind was when a claim was made improperly against any person not liable: he looked upon that as a fictitious claim. There was no doubt this contractor had done his work, and had done it well; but when he made a claim against the General Government he considered that that was a fictitious claim. He had no doubt there were many claims which would swell the provincial liabilities that could not fairly be made against the colony. They could not afford to pay anything more than was justly due, and for those reasons he would support the amendment.

The Hon. Mr. MANTELL said that, from the course the debate had taken, it appeared that this Bill, under the assumed name of Kakanui, was a Bill for the relief of some contractor, for whom great sympathy was expressed. Now, there were two parties to a contract. On the one side was this poor contractor, to whom £9,000 was due. Who held the other position in the contract? If the General Government, then of course the contractor had his remedy immediately. If the Provincial Government, then of course this was a provincial liability. If any other man or body, let the contractor first seek his remedy against them, and then the next step would be to apply to the Legislature. He was told, on the very best authority, that the Harbour Board was responsible. In that case let the question come before the Supreme Court. He understood, from the sketch of the history of the affair which had been placed before them, that this work was undertaken upon the prospect of its being confirmed by a Provincial Ordinance if the Provincial Council had not been abolished. Upon that prospect the contractor considered he was justified in entering into the contract. He (Mr. Mantell) supposed there was a sort of guarantee given that, if the Provincial Council continued to exist, an Ordinance would be submitted to ratify the contract. Here, again, they had another case of the departing stewards directing people to take pens and write down quickly £9,000. He objected to this little Bill which indorsed that little bit of writing.

The Hon. Colonel BRETT said this Bill was introduced solely for the purpose of paying an

honest debt. For this debt they had a splendid harbour, which was a perfect success, and all the work was completed. There was the article, but it had not been paid for. The debt was due by the Harbour Board, and they ought to give the Board power to borrow the means of paying this debt. The contractors had expended a large sum of money, and there was now a debt due to them of £11,700. Surely they did not want those gentlemen to take their case into the Supreme Court, and perhaps spend three-fourths of what was due to them upon legal expenses. Let the Council pass the Bill and pay this honest debt. A Bill analogous to this had never passed through the Council. It was for a work completed and finished. The Petitions Committee had reported favourably upon this claim. As it referred to a money matter, they could not recommend it to the favourable consideration of the Government, but simply forwarded it for the decision of the Government. He hoped the Council would assist the Government to do an honest act.

The Hon. Captain BAILLIE said the petition simply asked for relief, and did not point in any particular direction, although honorable members might easily fancy that it asked for a sum of money. The Committee found that the contractor had done his work, and when it was done a flood came down the river, scouring the bar. It was expected the scour would be to the depth of ten feet, but it scoured to the depth of sixteen feet, and endangered the whole of the remaining portion of the work, and the contractor undertook to make the work complete at an expenditure of from £9,000 to £10,000. He thought the Board were justified in believing that their action would be supported by the Provincial Government. The Board was as a son to the Provincial Government. They knew how paternal those Provincial Governments were: they always paid the debts of their sons, no matter how they were incurred. He thought that, as the General Government had taken over the provincial liabilities, this was a just claim, and the Government should either put a sum of money upon the Estimates to meet the claim or give the Board this revenue for the purpose.

The Hon. Dr. GRACE thought there was no doubt provision would be made to meet the justice of this case at some time by no means distant; but he objected to this roundabout way of meeting it. They were asked to make a donation of land to enable the Board to borrow money in order to liquidate a just debt. He had no doubt whatever that the justice of this case should be fairly met, but he did not think this was the way to meet it; and he would vote against the Bill.

The Hon. Mr. MENZIES thought the Bill should be read a second time, and be remitted to the Waste Lands Committee. It appeared from the remarks of the Hon. Captain Baillie, the Chairman of the Petitions Committee, that the work originally contracted for was done fairly and effectively, but from unexpected causes the work was seriously damaged on the one hand, while upon the other the work intended to be done was very materially improved. The harbour was im-

proved, but the harbour works were damaged, and if further expenditure had not been incurred it would very shortly have become of no value whatever. He was informed that the piles and sea-walls were actually undermined by the flood which swept out the channel of the river. Seeing that this additional work had been done effectually, he did not think they should inquire too curiously whether the Harbour Board was fully authorized to incur the additional expense in order to carry out the very object for which it was originally established. He apprehended that the object for which the Board was established was to make the Kakanui mouth a navigable harbour. The Board, by this additional expenditure, had made a much better harbour than anybody ever anticipated. He was not prepared to say that the mode in which relief was proposed to be given by this Bill was by any means the best. He believed it would be a much more convenient arrangement if the extra amount expended by the Board, and now due to the contractor, had been included in provincial liabilities. But, seeing that that had not been done, and seeing that the Board desired to divest itself of the liability to which it had become subject, he did not think they ought to reject the Bill, but that they should remit the matter to the Waste Lands Committee for inquiry and consideration.

The Hon. Mr. WILLIAMSON thought there was a principle involved in this question. He did not at all think it was a question whether the work was well or ill done. The question really was, whether it was an authorized work. He believed the work was not wanted, but that did not affect the question. If this work were authorized by the Provincial Government, it then became a General Government liability, and it was the duty of the latter to put the amount on the Estimates and let the question be argued out in the other House. The Hon. Mr. Holmes said that this district was badly treated—that the land was all occupied and sold at the very high price of £2 and £4 an acre. Now this Bill proposed to give 8,000 acres of land to pay a debt of £9,000. Surely, if they could get £2 or £4 an acre for that land, it would be a very good arrangement for the Harbour Board. In order to prevent such an arrangement, he thought they ought to settle those claims in a straightforward manner.

The Hon. Mr. HOLMES explained that the land proposed to be reserved was hill pasture, and therefore was not valuable.

The Hon. Colonel WHITMORE hoped that the Bill had not lost anything with the Council through the accident of his having misrepresented the position of the guarantors. He had just been informed that the guarantors really were the Harbour Board. The Board was constituted by the Provincial Council of Otago, and its members were consequently protected by law. The reason why they had become liable for an extra sum of £8,000 had been well explained by the Hon. Captain Baillie, and in such a way as to show that it was not owing to any deliberate intention on their part. It was the very best thing they could do in order not to waste the money already



spent; and they expended the money in the full belief that the amount would be provided for by the Provincial Council in the future. He would go further and say that, although that was the main feature of the Bill, still it was not all the Bill. If honorable gentlemen would not enable the Harbour Board to have an available security of that kind, and practically leave it to them to say whether the contractor was to suffer from having trusted the Board and been a benefactor to the district, he thought the Council should at least put it in the power of the Harbour Board to raise money to settle the claim. If honorable gentlemen would remit the Bill to the Waste Lands Committee on the understanding that the endowment should be struck out, and that they should have borrowing powers on the security of their own dues, he thought that would not be unreasonable. The Council properly showed great chariness in allowing unauthorized claims to come upon the public funds. He thought that that was quite proper, but at the same time they should not push their principle to an extreme. He thought that there was a sufficient implied authority in the action of the Provincial Council in former times to justify the course taken under the immediate pressure of the circumstances that arose. The Hon. Mr. Miller said everybody was in fault—the Government, the contractor, and the Board. However, he did admit that the Provincial Government gave authority for the commencement and the carrying on of the harbour works. Now let them put the matter in another light. Supposing they refused to pay the money by refusing an endowment and refusing to pass the Bill, what would follow? Session after session a petition would come up, and perhaps in the year of our Lord 1880 or 1881 the claim would be admitted by the Public Petitions Committee to about double the original amount. That was what always happened with a claim of this kind when it had a foundation of right and justice. Thus the public would, in the long run, really lose by the action of the Council. He would say no more upon the subject of the endowment, and would leave it to honorable gentlemen to exercise their own views. The Hon. Sir F. Dillon Bell spoke about provincial liabilities as if the Government had procured every provincial liability which they could possibly get hold of, and laid them all on the table of the House. That was not at all the case. The late Government left a list of what were called provincial liabilities, and he had reason to know that the late Government and the present Government struck off a very large sum, not much less than a quarter of a million of money. Thus, as these liabilities appeared before the public, they had been already reduced. A great deal of what the honorable gentleman said was quite true about the provincial liabilities. There would be a great difficulty in drawing the line exactly between those which were righteous and those which were not. The fact was, that this was one of the prices they continually had to pay for great changes. What Abolition cost this country directly and indirectly would, perhaps, never be exactly ascertained, but it was not an inconsider-

*Hon. Colonel Whitmore*

able sum, and the provincial liabilities must be regarded as forming a part of it. With regard to these so-called provincial liabilities, so far as they were estimates likely to have been passed by the Provincial Councils he believed the proper way to deal with them would be to recognize them as provincial liabilities; but wherever anything had been put on which would not have been admitted if the provinces had continued, it was, of course, a fraud upon the public. To that extent the honorable gentleman was right. A large amount of the provincial liabilities had been struck off by the Government, and there might be others which would prove to be equally indefensible. He hoped the Bill would be remitted to the Waste Lands Committee, where it could be modified to whatever extent it was desired.

The Hon. Dr. POLLEN asked leave to make a statement. His honorable friend said that the late Government had left a list of provincial liabilities. He desired to say that the late Government left no such list. As a Government, no such list was ever considered or agreed to by it in any shape or form. That statement had been made in another place for purposes for which it was not at all necessary that it should be repeated here. He was exceedingly sorry to hear his honorable and gallant friend repeat that statement. There was not a word of truth in it. No such list was ever prepared by the Government or agreed to by the Government as such; and the Government was not responsible for any such provincial liabilities.

The Hon. Colonel WHITMORE could tell the honorable gentleman that he had himself such a list of provincial claims. He was informed by the officers of the Treasury that a large amount, more or less a quarter of a million, had been already knocked off before that list was prepared. The honorable gentleman was so far right that he believed the list had not been fully considered by the Cabinet when the late Government left office. Since the present Government had been in office that list had been completely revised, and a further sum had been struck off. The honorable gentleman spoke as if he (Colonel Whitmore) were deliberately misstating the matter. Now he was speaking of what was within his own absolute knowledge. A list of the provincial liabilities was left in the public offices, and certainly if they were not drawn up by some member of the late Government they were not drawn up by any other person. He presumed the honorable gentleman did not mean to say that the late Government were not responsible for a public document left in an office.

The Hon. Dr. POLLEN.—Certainly not; not as a Government.

The Hon. Colonel WHITMORE would then not dispute the matter with the honorable gentleman. What he intended to say was, that there was a printed list of claims which had come from the Treasury, which had been examined at all events by one Minister, and reduced by him. It was not completed, and had to be still further considered when the Government of which he was a member came into office, and then it was again considered and reduced.

The Hon. Mr. LAHMANN said that, whatever had been urged against the second reading of this Bill, every honorable member who had spoken had acknowledged that the claim of the contractors would have to be paid. Now, the question simply was, How could that best be done in the interests of the country? In his opinion the passing of this Bill would be the easiest mode of payment, and would be least felt by the colony at large, because, if the Harbour Board was enabled to borrow money by means of this endowment, it could hardly be said that it would be sufficient to clear off the whole debt. Harbour works, when completed, required a continuous expenditure for maintenance, and if this Bill were passed the Kakanui Board would be able to keep the wharf, which was said to be of great benefit to the district, in proper order and repair.

Question put, "That the word 'now,' proposed to be omitted, do stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	8
Noes	...	...	...	...	20
Majority for	...	...	...	...	12

#### AYES.

Captain Baillie,	Mr. Lahmann,
Colonel Brett,	Mr. Menzies,
Captain Fraser,	Mr. Peacock,
Mr. Holmes,	Colonel Whitmore.

#### NOES.

Sir F. Dillon Bell,	Mr. Nurse,
Mr. Buckley,	Mr. Paterson,
Mr. Chamberlin,	Mr. Peter,
Mr. Edwards,	Mr. Pharazyn,
Dr. Grace,	Dr. Pollen,
Mr. Hall,	Major Richmond, C.B.,
Mr. Hart,	Mr. Robinson,
Lieut.-Colonel Kenny,	Mr. Russell,
Mr. Mantell,	Mr. Wigley,
Mr. Miller,	Mr. Williamson.

The amendment was consequently agreed to, and the Bill ordered to be read a second time that day three months.

#### PENINSULA COUNTY BILL.

The Hon. Mr. MILLER, in moving the second reading of this Bill, said its object was to extend the boundaries of the Peninsula County. Honorable members would see by the preamble that the portion of land which it was proposed to include within the Peninsula County belonged to the County of Taieri, and was merely an outlying part of that county and inconvenient to be administered by it. All that was sought to be obtained by the Bill was to include a portion of a road known as the Anderson's Bay Road within the proposed extension, and he apprehended that there would be no objection to that proposal. The Bill had become necessary owing to there having been no Counties Bill brought into Parliament this session, and if it were not passed it would be extremely inconvenient to give the

Peninsula County means to keep the road in repair and administer it generally.

The Hon. Mr. HOLMES thought the Council should know that this Bill altered the power contained in the Municipalities Act with reference to the imposition of tolls. Of course the fact of the Hon. Mr. Miller having this Bill in charge would lead them to suppose there was nothing wrong in it, because that honorable gentleman was so immaculate in his political actions. He (Mr. Holmes) did not intend to oppose the Bill, but desired to point out that, under the present law, no toll-bar could be erected within a mile of any municipality, and that the intention of this measure was to place a power in the hands of the county to establish a toll-bar close by the City of Dunedin. If a toll-gate were erected on Anderson's Bay Road it would command the traffic of several adjacent municipalities, and would, in fact, be worth £1,000 a year, while it would be a heavy tax upon the people of the locality. Long before the place was as large as at present, a toll-gate on the road realized something like £700 a year, and not one-half the amount would be required to keep the road in good order. He did not intend to oppose the Bill, because he wished to have the road kept up, as, when in Dunedin, he used it every day. The honorable gentleman, in moving the second reading of the Bill, should have informed the Council that such a radical change was proposed, and that, notwithstanding the existing law that a toll-bar could not be erected within a mile of a municipality, this Bill gave power to place one close to the town boundary of Dunedin, so that the people passing to and from the city and the various municipalities would have to pay.

The Hon. Captain FRASER thought the Hon. Mr. Miller had given the Council a very meagre and bald description of the Bill; he doubted very much if the honorable gentleman understood it. He had not told them whether or not the Taieri County people were in favour of it. This Bill would place a very serious tax upon a number of people who had little villas at Anderson's Bay. He would like to know if the Bill had been circulated, because he considered it was a private Bill, as it affected private property. At all events it ought to be referred to a Select Committee.

The Hon. Mr. PATERSON said this road-line formed the boundary of the Taieri County when originally marked out. Since then a number of townships in the neighbourhood of Dunedin had been formed into municipalities, and been taken out of the Taieri District. They intervened between the road-line and what was now the Taieri County, and the people of the Taieri County now said that the road was not within their district, and consequently they would not contribute towards its maintenance. The road was the only means of access to a large district known as the Peninsula, and formed the only communication between that place and Dunedin. There was a great deal of traffic on the road, and a great deal of money was required to keep it in repair. It could not be closed, and must either be maintained by a toll upon those who used it, or by a rate levied upon the people of the Peninsula

County, to which it was now proposed to attach it. He believed the toll would be the fairer plan, as only those who used the road would pay for it.

The Hon. Mr. BUCKLEY knew the locality, and thought there were good reasons for passing this Bill. At the same time, he did not think the Hon. Mr. Miller had given the Council sufficient information on the subject. He told them that the object was to extend the boundaries of the Peninsula County, but he might have added that the extension was in order to enable a toll-gate to be erected.

The Hon. Sir F. DILLON BELL hoped the Council would set its face against Bills coming up to repeal provisions in general Acts such as the Public Works Act and the Municipalities Act. What could be more unfair than that they should devote a great amount of time and attention to the provisions of a general Statute, and immediately afterwards a Bill should be brought in to repeal some of those provisions in order to suit any private wishes and aims, especially when their very object in passing the general Act was to prevent it? Some conspicuous instances of this had occurred during the present session.

The Hon. Mr. PATERSON begged to ask the honorable gentleman to point out what private interest was to be served by this Bill. The road was a public road, used by the public, and maintained at the expense of the public.

The Hon. Sir F. DILLON BELL said it was not a question of the particular private interests which might be affected. What he was urging upon the Council was, not to allow a general Statute, having provisions relating to the general public interests, to be defeated and frustrated by private ends and private objects which might be served by Bills of this kind.

The Hon. Mr. MILLER must rise to order. The opposition this Bill was meeting was extraordinary. There was no private interest concerned in it whatever.

The Hon. Sir F. DILLON BELL said the general object they had had in passing the 102nd section of "The Public Works Act, 1876," was clear and distinct, and was to serve the interests of the whole colony. Somebody to whom that clause was an inconvenience came forward and said, "Notwithstanding anything contained in the 102nd section of 'The Public Works Act, 1876,' just let me do the very thing which it was the object of that provision to prevent." He would propose that the honorable gentleman should do what the Hon. Dr. Pollen did in the case of the Gold Mining Districts Bill, and excise the last part of clause 3. Then he would know precisely what the object of the Bill was. It might be a very innocent Bill, and be devoid of any such object as that ascribed to it by the Hon. Mr. Holmes; and there could be no mistake as to its scope and purpose if the honorable gentleman agreed to his suggestion.

The Hon. Colonel BRETT said the only objection he had to this Bill was that it savoured of the dark ages. The idea of one of their principal cities of New Zealand having a toll-gate within a mile of its post office was one which posterity

would be unable to realize. If he were to bring in a Bill for the erection of a toll-gate in Christchurch he would be torn to pieces. It would be considered as a downright insult. Were they so poor in that part of the country as to be unable to make their own roads? Were there no Road Boards or Municipalities in that grand city? He trusted they would not insult that fine city by passing a Bill of this kind. It was looked upon as a second Edinburgh, with all the wealth of New Zealand and all the wealth of the Scotch there.

The Hon. Mr. HALL was very much afraid his honorable and gallant friend would have to go to school again in these matters. The state of things during which in the Middle Island they had received a fair share of the territorial revenue was coming to an end, and it was possible that even his honorable friend would have to pay toll at a turnpike gate at Christchurch. His honorable friend said he would be torn to pieces if he erected a toll-gate. He (Mr. Hall) entirely disputed that. When he was Secretary for Public Works he established a toll-gate near Christchurch. There was a great hubbub; he did not know whether his honorable friend had anything to do with it, but he hoped not, because the gate was pulled down. However, he had it put up again, and it remained as long as he was Secretary for Public Works; but when he left—he did not know whether his honorable friend set to work again—the gate once more disappeared. He was afraid they had now some clue to the author of that work.

The Hon. Mr. MILLER said this Bill afforded an illustration of the wisdom of an old saying, "There is a time for everything." It appeared that he had introduced it at a most unfortunate time, when the tempers of two honorable gentlemen were somewhat soured owing to his having opposed a Bill which they thought he was going to support. The Hon. Mr. Holmes had called him immaculate, and said that he was the most virtuous individual in the world, and that there could be nothing wrong in the Bill. They all knew what that meant. It meant that the honorable gentleman was very much incensed at his (Mr. Miller's) having opposed a certain Bill, and that he took that magnanimous way of insinuating that there was something wrong in this Bill. He congratulated the honorable gentleman upon the means he took, which were no doubt in accordance with his view of things. When he was moving the second reading of the Bill there was a good deal of talking going on, and nobody seemed to be listening to his remarks; but he explained that this was a Bill to extend the boundaries of the Peninsula County in order to include Anderson's Bay Road. That was simple enough. If honorable members would look at clause 3 they would see that it was proposed to put up a toll-gate. Having been away from the colony during the last eighteen months, he was not aware that the toll-gate, which had always existed there as long as he could remember, had been removed, nor was he aware of the fact when he moved the second reading of the Bill. Therefore he did not think it was necessary to

*Hon. Mr. Paterson*

inform the Council that the 3rd clause gave the Peninsula County, to which the road was to be handed over, the power to put up a toll-gate in another place. Under all the circumstances, he thought a great many unnecessary remarks had been made on the Bill. The inhabitants of the Peninsula County used the road, and an immense number of the inhabitants of Dunedin used the road as well for the purpose of recreation. He therefore maintained it would not be at all an unfair thing to the people of Dunedin that there should be a toll-gate there. He had often heard this hue and cry against toll-gates raised at various times in the Otago Provincial Council, but he never sympathized with it. He thought the fairest way to keep up roads was on the simple principle that those who used the roads should pay for them. His immaculate friend the Hon. Mr. Holmes said that he did not object to the toll-gate. He did not suppose that any one would have to pay more tolls than his honorable friend, because he would have to go through a toll-gate every time he went to his own house. He respected the honorable gentleman's virtue for that reason. With all due deference to the Hon. Sir F. Dillon Bell, he thought it would be very wrong to make the alteration which he proposed. He was informed that it cost £700 or £800 a year to keep up this road, and he should like to know how the authorities of the Peninsula County were to keep up the road if they were not permitted to erect a toll-gate.

Bill read a second time.

#### EDUCATION BILL.

The Hon. Colonel KENNY asked whether it would be in order to read, without notice, certain protests which were handed in, before the sitting of the Council, by certain members against the Education Bill.

The Hon. the SPEAKER said it would be quite in order.

The CLERK read the protests as follows:—

(No. 1.)

"We, the undersigned members of the Legislative Council of New Zealand, record our protest against 'The Education Bill, 1877,' because it fails to provide for any recognition of the Christian religion, or even of the Supreme Being.

"WM. H. KENNY.

"M. RICHMOND, C.B.

"W. S. PETER.

"H. J. MILLER."

(No. 2.)

"We, the undersigned members of the Legislative Council of New Zealand, record our protest against 'The Education Bill, 1877,' in its present shape, because it not only fails to provide for any instruction in the principles of religion, which are the essential basis of all education, but it excludes from the schools to be maintained under its provisions any recognition of the Christian religion, or even of the Supreme Being. We believe that such a law is not only absolutely wrong, but is opposed to the general wishes of the people of New Zealand.

"JOHN HALL.

"JAS. H. MENZIES."

#### TARANAKI SMELTING WORKS BILL.

The Hon. Mr. HOLMES, in moving the second reading of this Bill, said it merely provided for a year's grace to complete certain transactions on behalf of the Taranaki Smelting Works Company. The real object of the Bill was to obtain a title for land that in reality they had a fair claim to, because, when the Company expended £10,000 on the land and had subscribed £30,000 of capital, they had a right to those 5,000 acres of land. He believed that £27,000 of actual capital had been subscribed; but £3,000, or about 10 per cent. of the whole capital, was given in shares for a patent for smelting iron. Those shares were looked upon as part of the capital, making up £30,000, and he believed the reason why the land had not been conveyed was because this sum of £3,000 was not subscribed as *bona fide* capital. This Bill had been referred to a Committee, which reported as follows:—

"From inquiry made by the Committee it appears that 'The Taranaki Iron-Sand Smelting Works Act, 1874,' under which the Company claim the land, imposed the following conditions, which were to be fulfilled by the Company before the Superintendent was authorized to issue a certificate to the company declaring they were entitled to a Crown grant:—

- "1. That the Company make a selection of the land and complete a blasting furnace for smelting iron ore before the 31st day of December, 1875.
- "2. That the Company pay 5s. per acre for the said land to the Provincial Treasurer.
- "3. That the Company have a nominal capital of £50,000.
- "4. That the Company have an actual capital of £30,000.
- "5. That the Company expend £10,000 in erecting and completing a blast furnace, and in the purchase of plant and labour charges.

"All the above conditions are admitted to have been fulfilled by the Company except the 4th, which is the question in dispute.

"The Company had an actual capital of £30,410, but this included £3,000 worth of shares paid up, which were given for a smelting patent.

"Taking into consideration that the Company have expended a large sum of money on plant, and paid £1,250 for the land in question, the Committee recommend that a grant be issued for the land to the Company when they have manufactured to the satisfaction of the Government one hundred tons of marketable cast-iron from the Taranaki iron-sand."

The Company had actually spent £18,000 instead of £10,000, and the only thing that stood in the way of their getting a title was about £3,000 worth of paid-up shares. The object of the Bill was to permit the Governor to give a Crown grant for this land notwithstanding the £3,000 worth of shares not having been actually subscribed as capital.

Debate adjourned.

## CANTERBURY ROADS BILL.

The Hon. Mr. HALL, in moving the second reading of this Bill, said he had stated, in asking leave to introduce the Bill, that its object was two-fold—first, to correct some defects in the existing Roads Ordinance of the Province of Canterbury; and, secondly, to remedy a state of confusion which had arisen in one of the largest of the road districts in that provincial district. The first six clauses of the Bill referred to the first object he had mentioned. They provided that ample notice should be given in the district affected when an application was made for dividing one district into two. That was not necessary so long as the provincial system was in operation, because petitions were sent, in the first instance, to the Superintendent, and were by him referred to the Provincial Council, where the matter was thoroughly ventilated. If a resolution in favour of a petition were passed by the Council, then the Superintendent could give effect to the prayer of the petition. That, as he had before pointed out, provided every security that the whole matter should not be done in a hurry—that it would not be done without all parties having full notice as to what was proposed to be done, and having an opportunity of objecting, if they thought it right to object, and thus enabling the authorities to know all the facts of the case before they were called upon to act. Now that the Provincial Council was done away with, a discussion of the matter need no longer take place. A petition came direct to the Governor, who would or would not assent to it, as he thought right, without any party affected by the petition having any opportunity of being heard either in its favour or in opposition to it. He thought honorable members would admit that that was a defect which required to be remedied. The 2nd and 3rd clauses therefore provided that, when a petition for this purpose was presented to the Governor, he caused it to be advertised for two months; and at the end of the two months he had to refer it, with any counter-petitions that might be received, to the County Council, if such a body was in operation. If the prayer of the petition was recommended by the County Council, the Governor had then to give effect to it if he thought proper; but if the County Act was not in operation in the district the Governor must deal with the matter himself. The 4th, 5th, and 6th clauses provided a remedy for a defect in the Provincial Ordinance, which, in the case of the division of a district, did not provide for a division of the liabilities which might have been existing at the time upon the road district, or of the assets the district might at the time possess. At the time the Ordinance was passed the possession of any considerable amount of assets was a very unlikely event, and the full notice that everybody had that such a change was going to take place prevented any difficulty arising on that score. But that was no longer the case. Cases had arisen and did arise, upon the division of a district, in which assets had to be divided and liabilities had to be apportioned. The Bill provided that new Road Boards might agree upon

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the subject if they could, but, if they could not agree, the matter was to be left to the Commissioners of Audit. Objection had been taken to those officers as not being the best adapted for the purpose; but that was a matter of detail, and he should be quite ready to enter into it in Committee, and, if any authority were considered to be better qualified to perform this work fairly, he would be ready to agree to any amendment in that direction. The Bill also provided another very necessary amendment. At present, on the occasion of a division of a district, the first election of a Road Board for the new district was to be made not by the ratepayers, but by the electors and the householders. The reason of that proposal was that no ratepayers could exist for newly-constituted districts, and therefore, to enable an election to be held, some other constituency must be provided. Complaint had been made that this gave a voice in the election to persons who were really not the best fitted to have any voice in the matter. Therefore it was provided in the Bill before them that, when a district was newly constituted, the clerk of the old district was, out of the old ratepayers' roll, to make up a list showing those ratepayers who lived in each of the new districts, and thereupon the election of the new Road Boards could take place. These were the improvements which this Bill provided in the existing law. The last two clauses dealt with the last of the two objects which he stated the Bill had in view—namely, the remedying of the state of confusion which had arisen in one of the largest road districts in Canterbury. A proposal had been made, with regard to this, that the question could be settled in another way than that proposed in these two clauses. He should be very glad, if the Bill went into Committee, to accept the proposal if it were found to be practicable; but of course he could not be sure that that would be the case, and therefore it was his duty to point out to the Council the reason for introducing this part of the Bill. A petition was got up in the South Rakaiia Road District, some time, he believed, in the month of July, for the division of that district in a particular manner; but it was only shortly before the petition was sent up that the members of the Road Board were made aware of it. None of them was asked to sign it excepting the Chairman, and he understood that that gentleman refused to do so. When the Chairman heard of that petition, he, on the 16th July, telegraphed to the Colonial Secretary, stating that he had heard that such a petition was being forwarded, and asking for delay, in order that a petition, expressing the views of the ratepayers of the district, might be signed. Then there was a letter from Mr. Wason, the member representing the district, forwarding a petition strongly recommending the division. The next step in the matter was that, without waiting for the arrival of the counter-petition, a Proclamation was issued on the 28th July by the Governor dividing the district in the manner petitioned for; also abolishing the South Rakaiia District, and substituting the Mount Hutt and the Acton District. On

the same day the Chairman of the South Rakaia Road Board forwarded, by letter, resolutions passed at a public meeting held in the district, protesting against the proposed division, and asking that different steps should be taken. That counter-application was not heard. The division was given effect to before the counter-application, of which notice had been given, was received by the Government. He would say now, as he had said on a former occasion, that that was, to his mind, a great mistake on the part of the Government. He thought the Government not only made that mistake, but they made this further mistake: According to the Ordinance they had a perfect legal right to give effect to the petition praying that a portion of the old district of South Rakaia should be constituted a new district; but they did not content themselves with doing that, and leaving the remainder of the old district to be the South Rakaia District, but they made another district: they practically abolished the old district, and gave it an entirely new name. The effect of giving that new name was a very important one upon the finances of the old district. If they had simply constituted the new district as applied for, and left the remainder of the old district to remain the old district, it would have had possession of what was left of the assets and the liabilities as the Ordinance contemplated. They did not do that, but they did what the Ordinance did not give them the power to do: they cut the district into two entirely new districts. The consequence was that the assets at the credit of the district remained still in the bank, and no one could touch them. He was informed that such was really the case. There was a remonstrance made against the division, but the answer given to the remonstrance was substantially this: that the thing had been done, and it could not be undone. Proclamations for the new elections were issued, and the remonstrants were told that they had better wait until the new Boards were elected, and when they were elected the Government would hear what they had to say on the subject. He did not wish to weary the Council by going into details, but he believed that that was a very fair general summary of what had afterwards taken place. As soon as the Road Boards were constituted, there was another petition got up in a part of the Mount Hutt District, the residents of which were extremely dissatisfied with the existing state of things. They petitioned for that portion of the new district to be amalgamated with the old road district. But that was refused by the Government. They were told to wait to see what the Road Boards did. The Road Boards were then elected, and they met. They passed resolutions, which had been printed and circulated, and of which, no doubt, honorable members had received a copy. To render them intelligible he should explain that there were in the other branch of the Legislature two Bills on this subject—one introduced by Mr. J. E. Brown, which provided that the Proclamation itself should be cancelled, that all parties should revert to the state of things in which they found themselves before the district was divided, and that, if it then appeared to be a genuine wish

on the part of the majority of the ratepayers that there should be a division, they might adopt the necessary steps for that purpose. Having explained that to honorable members, he would now read the resolutions which had been arrived at by the newly-elected Road Boards of the two new districts. At a meeting of the Mount Hutt Road Board, held on the 19th September, 1877, the following resolution was unanimously passed: "That this Board is in favour of Mr. J. E. Brown's South Rakaia Road Board Bill No. 2, now before the General Assembly." At a meeting of the Acton Road Board, held on the 18th September, 1877, the following resolution was passed unanimously: "That we are of opinion that it is beneficial to ourselves and the district we represent to support the South Rakaia Road Board Bill No. 2, introduced by Mr. J. E. Brown, and now under consideration of the General Assembly." A memorandum was signed by the Chairmen of the respective Boards to the effect that the Boards declined to work until the decision of the House relative to Mr. Brown's Bill was known. Now, that was the present state of things, and the Boards of both districts were dissatisfied with the position—with the alteration that had been made—and they asked that Mr. Brown's Bill should be passed, which was to the same effect as the last two clauses of this Bill. They petitioned in favour of Mr. Brown's Bill. The present Bill, he thought, would be a reasonable solution of the question. It would not prevent the district being divided if it was the deliberate and well-ascertained opinion of the majority of the ratepayers of the district that it should be so. It affirmed this principle: that this division was done with—what should he say?—precipitation; it was done without a fair opportunity having been given to all parties of being heard, and after warning had been given to the Government that a counter-petition to the original one was to be sent. He did not wish to make any unpleasant remarks. He could only say that the Government had made a mistake, and he thought it would have been better if they had acknowledged their mistake and endeavoured to redress the matter as soon as possible. Perhaps it was not impossible to do so now. The adoption of this Bill would be a fair and reasonable solution of the case. It would enable the whole proceedings to be commenced *de novo*, and the Government to act on what appeared to be the deliberate opinion of the ratepayers of the district. For those reasons he asked the Council to read the Bill a second time. He had been told that there was a proposal now to settle the matter by allowing the two Boards to exercise the powers given by the Ordinance to amalgamate these districts into the old original district. There would, however, be this difficulty: that the law did not provide in a case of this kind what should be done with the assets of the original Board, which had not come into the possession of either of the two new Boards. If it were the opinion of the two original districts that it should be so, then, no doubt, their own assets would at once become the property of the united districts; but here were assets which had not come into the possession of

the new districts at all. The assets now lay in the Bank, and would still remain there. It would be necessary, therefore, that a clause should be introduced into the Bill to provide that these assets should be paid over to the new Board. He believed that that would be a satisfactory solution of the case. He had not yet ascertained whether all the parties would agree to that course being adopted. He did not propose to ask the Council to go into Committee on the Bill to-night, if they agreed to read it a second time, and he trusted that all parties would agree to that course; but, if they did not agree, he would ask the Council to pass this Bill as it stood. He apologized to the Council for troubling it with what, after all, was a local affair, but he did not think it right to ask the Council to agree to the second reading of a Bill without fully and fairly stating the circumstances of the case.

The Hon. Dr. POLLEN would like to be allowed to say a few words on the subject. He entirely approved of the Bill to the extent that it provided a necessary amendment to a local Ordinance, which was admitted to be required. The part of the Bill to which he took exception as being unnecessary was that portion of it to which the observations made by his honorable friend referred—namely, the two last clauses. He thought that those clauses were unnecessary. They were unnecessary, in his opinion, upon this ground: that it was not the function of this Assembly to interfere with the weight of its authority in matters which were of a purely local character, and which could be settled under the existing law by the people themselves, without any meddlesome interference by the Colonial Legislature. He thought it was most desirable that they should as scrupulously as possible avoid that which he called meddlesome legislation, and that they should trust to the intelligence of the people of the respective districts in the colony to manage their own local affairs without at least unnecessary interference by the Legislature of the colony, such interference as, in his mind, was proposed by the two last clauses of this Bill. His honorable friend had stated with sufficient accuracy the circumstances which, in his opinion, rendered the interference of the Legislature now necessary; but there was already in the local Ordinance a provision which clearly enabled the local Boards, which were the proper representatives of the people, and which ought to be the exponents of the wishes of the ratepayers of the several districts, to do, without any interference on the part of this Legislature, precisely that which the provisions of this Bill enabled them to do. There were in every local district, as he was sure the experience of honorable gentlemen would have taught them, a number of fussy persons who took upon themselves to be the exponents of the popular opinion in their district. They assumed to themselves all knowledge, and the authority of directors, and took upon themselves to declare what was the public will; and, in that overweening self-confidence which they possessed, they did not think it at all necessary to inform themselves as to what really were the desires of the people in whose name they presumed to

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speak. That he took to be really the cause of the disturbance which had taken place in the South Rakaia Road District. He said so as the result of his own personal experience. He would briefly refer to what had happened. There was a very large district in the Provincial District of Canterbury, known as the South Rakaia District, which—he was now speaking from memory—was very nearly 200,000 acres in extent, and which had, he thought, 350 miles of roads already made. It was intersected by a railway. There were seventy ratepayers in one portion of the district, and some fifty of those ratepayers had petitioned the Governor to separate their portion of the district. There was no doubt as to the fact, no doubt as to the validity of the petition, no doubt as to the accuracy of all the statements that were made in it. This petition was presented to the Governor, and an urgent request for attention to it was made by two gentlemen of unimpeachable respectability, representatives of that district in another place. And, upon the evidence placed before the Government, and acting strictly in accordance with the provisions of the law, a division of the South Rakaia District was made in conformity with the prayer of the petition. Immediately the fussiness of which he had spoken exhibited itself, and a number of gentlemen, all of them affecting to speak in the names of the ratepayers, entered into what he might call a game of diamond-cut-diamond to see which of them could get the greatest advantage out of the confusion which they made in reference to the division of the district. He was himself personally responsible for the action which was taken in this business, and he was free to admit that if he had, in the first instance, followed the course which he prescribed to himself on all other occasions of a similar kind, and had delayed the issue of the Proclamation until he had had an opportunity of consulting all the persons concerned and hearing both sides of the case, it would have been better. But he was not bound by the law to do that, although, as a matter of policy and of administrative care, he was in the habit of doing so upon the many occasions which arose since the responsibility devolved upon the Government of bringing the Counties Act and the other local institutions into operation. He did not think it necessary on this occasion, because everything appeared to be absolutely *en règle*, and he had no reason to doubt that the recommendations that were made to the Government, and on which he advised His Excellency to act, were unimpeachable, or that any difficulty or confusion would arise. The game, so to say, was played over the banking account. There were, it appeared, some £8,000 or £10,000 to the credit of the bank account, and the object of maintaining the old title of the South Rakaia Road Board was that the bank account should then be operated upon by the South Rakaia Road Board, and that the other portion of the road district which was left out should be left absolutely and entirely without funds. But he said then, what he repeated now, that there was a way for the people themselves to have settled this question in accordance with the

existing law, if they had themselves thought it of sufficient importance to move in the matter. When the new districts were constituted, if the Road Boards were the representatives and exponents of the popular will in that respect they had nothing to do but to petition the Governor again, who was in the position previously occupied by the Superintendent, and the *status quo ante* might have been restored immediately, and the whole South Rakaia District might have become one district instead of the two into which it was divided. What he said then, and what he said now, was that, seeing there was a possibility of doing this thing—seeing that the people themselves, under the Ordinance as it existed, and with still greater facility under the amendments now proposed to be made—the people should be allowed to do that by their local representatives which seemed most conducive to their interests, without any interference whatever on the part of the Legislature. He thought they might very safely accept the amendments, of which he approved, that were made in the first portion of this Bill, and they might in Committee very safely erase the two clauses which proposed to deal with the Proclamation that had been already issued. What happened with respect to the funds he understood to be this: that the liabilities of the original South Rakaia District were met and paid out of the fund then existing in the Bank. He was not aware of the process by which it was accomplished.

The Hon. Mr. HALL.—The personal responsibility and liability of the members of the Board.

The Hon. Dr. POLLEN was just telling what happened, as he was informed. The account had been divided, by some process with which he was not acquainted, and one portion, amounting to something under £2,000, had been paid to the bank account of one Road Board, and another sum of £3,000 stood in the Colonial Treasury at the disposal of the other Board at any time they would advise the Colonial Treasurer into what bank they desired to have it paid. So that, practically—and that was the important point—the creditors and those persons who were employed by the original Road Board really suffered no inconvenience. All the claims were met in due course. There was a little irregularity, perhaps, by the assumption of general responsibilities on the part of certain individuals; but the thing was done, and there was no difficulty on that account. That was all he desired to say on this occasion. When the Bill was in Committee he would take an opportunity of moving that the two clauses he had referred to should be erased; and he hoped to obtain the concurrence of the Council, on the broad ground that it was most undesirable, and, in fact, dangerous, for the Council to commit itself to any meddlesome interference with the details of local administration.

The Hon. Colonel BRETT desired to say a few words on this subject, having called attention to it in the Council some months ago. The Hon. Dr. Pollen placed great stress upon what he was pleased to deprecate as meddling with Road Boards and acting in a fussy kind of manner.

Why, it was the honorable gentleman's doing that very thing which had caused all this disturbance, irregularity, and confusion. He had no business to meddle with a matter that had not come up in the proper legal and justifiable way of transacting business. What was done by half the ratepayers of the South Rakaia District was done contrary to the old Provincial Ordinance. It was quite true that a petition was presented signed by half of the ratepayers; but how was that petition got up? It was surreptitiously and secretly got up; and, as the Hon. Mr. Hall had said, the Chairman of the Rakaia Road Board was only asked to sign it the day before it was sent off, none of the other members of the Board being asked to affix their signatures. The Chairman very naturally declined to sign the petition, as he was perfectly unconscious of the action that had been taken by half of the ratepayers. Besides, there was an imaginary line drawn. It had been incorrectly stated that the railway was the boundary line. The railway took a zigzag direction, and formed a most inconvenient line of demarcation. It was very strongly objected to as a boundary. But the greatest inconvenience the Board suffered was the stoppage of its works, owing to its inability to touch the money, which the bank would not hand over unless it had the proper authority. It was true they had some little money which they had received since this confusion took place, but the money that was in the bank before they could not touch. The Hon. Dr. Pollen read clause 6 of the Provincial Ordinance. That referred to a very different thing. It contemplated the case of two Road Boards joining, whereas here one Board was divided into two. The two processes were entirely different. Therefore he considered that the Government acted most unwisely, and contrary to the recognized regulations. Had they not been in such a hurry in the matter everything would have gone on correctly, and they would have found out that the course proposed was contrary to the general wish of the ratepayers of the district. He hoped this Bill would rectify all the mistakes and confusion that the action of the Government had brought about, and remedy the evil complained of.

The Hon. Mr. HALL said that, although the Hon. Dr. Pollen and himself did not altogether agree as to the last clause, he did not think they differed so much as to what was required to be done as upon the history of the transaction. His honorable friend had done an injustice to some of the gentlemen who were concerned in this matter which he (Mr. Hall) thought he was bound to point out. He had spoken generally of "fussy people possessed of an overweening self-confidence, who presumed to represent the feelings of the inhabitants of the district," and so on. It was very unjustifiable for his honorable friend to apply those remarks to the persons who had objected to these proceedings, when the result of the new elections had shown that every one of the ten members of the Road Board who had been elected was opposed to the action that was taken by the Government. Judging from that, it did not look as if the objections were those of "fussy, over-



weening individuals, who took upon themselves to represent the people of the district." His honorable friend said that he received a petition signed by fifty out of seventy ratepayers, praying for a division of the district. He (Mr. Hall) had no opportunity of checking that, and was sure the honorable gentleman was speaking according to his information; but it was a remarkable thing that, when a public meeting was held to consider this subject, resolutions were passed, by an undeniable majority, objecting to this division. All he could say, therefore, was that if the names of fifty out of seventy ratepayers were obtained to the petition they might have been obtained in the way in which signatures to petitions were very often obtained. His honorable friend went on to say that he had no reason to suppose that the thing was not perfectly *en règle*, that there was any difficulty in the matter, or that any error had been made. The honorable gentleman, when he said that, must have forgotten a telegram which reached him from the Chairman of the Road Board on the 16th July, while he issued the Proclamation on the 28th July. That telegram was to the following effect:—

"16th July, 1877.

"Hon. Colonial Secretary, Wellington.

"A petition will be presented for division of South Rakai Road District. The Road Board members are unanimously of opinion that the proposed boundaries are inexpedient. Although majority of members reside in part proposed to separate, only Chairman has been asked to sign petition. Counter-petition will be forwarded.

"O. N. MACKIE,

"On behalf of the Board."

He could not understand, therefore, how his honorable friend could stand up and say he had no reason to apprehend that there was any difficulty in the matter. His honorable friend had introduced the subject of the bank account, and had made a statement which he (Mr. Hall) was bound to say he could not understand. As he was informed, the great difficulty was that there were assets to the credit of the old Board which could not be touched. The honorable gentleman said they had been divided—that one share had been paid to one of the Boards, and that the other was still in the Colonial Treasury. He thought that his honorable friend must be under a mistake. Since the new Boards were constituted further subsidies had become payable, and no doubt each might have received a share of the new subsidy. But that a division could be made legally with regard to the assets of the old Board he begged distinctly to deny, and he would produce an authority on that subject which his honorable friend himself would not dispute was a weighty one. He held in his hand an opinion given by the Solicitor-General upon this very subject, and it was to the following effect:—

"I have looked at 'The Canterbury Roads Ordinance, 1872,' and find no power to cancel Proclamations severing districts. The only way in which effect could be given to what is desired, without legislating, is that the district should be united under section 6; but the Boards of the

respective districts must petition the Governor, praying to be created a united district."

That was what he pointed out it was open to the Boards to do. But did that get over the difficulty of the £12,000 which was lying in the bank? What did the Solicitor-General go on to say? He did not say that could be divided, but he used the following words: "This course would, however, still leave open the question of apportioning the debts and assets of former Board, as to which the Ordinance makes no provision." Now, he thought his honorable friend would admit that he was misinformed on that subject, and that he had got the thing into a difficulty from which nothing but legislation could extricate it, because he had done that which the Ordinance never contemplated, and never gave him power to do. What did the Ordinance give power to do? It gave power to one part of a district to ask to be separated from the rest of the district. It said,—

"If a majority of the ratepayers of any portion or portions of any district shall petition the Superintendent that such portion or portions shall be severed from its or their existing district and formed into a separate road district, it shall be lawful for the Superintendent to refer such petition to the Provincial Council, and the Provincial Council may, by resolution, decide that such portion or portions shall be severed from its existing district and constituted a separate district; and thereupon the Superintendent shall, by Proclamation, declare that such portion or portions shall be severed from such district, and constituted a new district by such name as he shall see fit."

That was what might be done. The part petitioning might be formed into a new district, leaving the remainder to be the old district. But that was not what his honorable friend did. He was not content with doing that which the law gave him power to do, but he created the petitioning portion into one district, and then took upon himself to annihilate the rest of the old district and make it into a new district, which he called the Acton District. Therefore the assets of the old district, which, under the law, should have been left with the remaining portion of the old district, were lying in the bank, and nobody could touch them. That was the mistake made by his honorable friend, which could not be got out of, as the Solicitor-General told them, without legislation. He trusted, therefore, that when in Committee on the Bill there would be no opposition to a clause which would provide for that point; otherwise the confusion must remain. He could only say that he hoped his honorable friend was misinformed as to any portion of this sum having been paid over to the district, for, if that had been done, according to the advice of the Solicitor-General it had been without the authority of the law. He apologized to the Council for troubling it at so much length. He thought it only right to the parties interested, and to the Road Boards of the district, to point out that they had not got the remedy in their own hands as the Hon. Dr. Pollen had suggested; that the state of things which existed could not be set right without the

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assistance of the Legislature; and that that was the reason why these small local matters had necessarily to be brought before the Legislature, and why they were not interfering unnecessarily with local affairs.

Bill read a second time.

#### FOXTON HARBOUR BILL.

The Hon. Mr. PHARAZYN, in moving the second reading of this Bill, said he did not think it would have seen the light during this session but for the action of the Council in endowing the Wanganui Harbour and giving borrowing powers to that locality. It appeared that a Bill in relation to the Foxton Harbour was read in the Council a second time last year and referred to the Waste Lands Committee, which recommended it to be passed with certain amendments, and those amendments were comprised in the present Bill. It appeared that in endowing the Wanganui Harbour 25,000 acres of land were taken out of the Manawatu District, and the inhabitants of Foxton and of the Manawatu County felt aggrieved that so much of their land should be taken to supply the wants of the Wanganui Harbour Board. Consequently they asked their representative in another place to bring the case before Parliament, and he introduced this Bill, which had passed the other House. Of course he (Mr. Pharazyn) laboured under a great disadvantage just now in introducing the Bill, inasmuch as he had voted against an endowment for the Timaru and Kakanui Harbours. He therefore felt himself in a very awkward position. But he wished to state the case fairly, and would leave the Council to decide. If they wished to be consistent, those honorable members who voted for the Wanganui Bill could not refuse to vote for this Bill. Foxton was the port of a district of considerable capabilities. There were five townships in the Manawatu District, and there were fifty miles of railway leading to this port. Considerable trade was carried on by steamers plying between Wellington and Foxton weekly, and there was also a steamer plying between Foxton and Wanganui. There was a large export of timber. In fact, it was the opinion of the Foxton people that it would outvie Wanganui in a very few years, and that a large trade would be carried on there. One recommendation for this Bill was that, instead of asking for 25,000 acres, it modestly asked for an endowment of 15,000 acres, and, instead of asking for borrowing powers to the extent of £100,000, as in the case of Wanganui, it only asked for power to borrow £20,000. So, in both respects, the Foxton people displayed moderation. Although they came to the Council for those powers, he did not think they would use them indiscreetly. As the trade increased they would have this endowment to fall back upon. He did not think there was any immediate necessity for going into extensive works. He trusted honorable gentlemen would show their consistency by at least allowing the Bill to go to the Waste Lands Committee, and he had no doubt they would report favourably.

The Hon. Mr. MILLER did not wish to prevent the passing of the Bill, but he would like

to observe that there was a proposal before the Railways Committee to make a railway to Foxton from Wellington. If that railway were made it would scarcely be necessary to spend money in making a harbour as well, as all the produce would probably be conveyed by rail. He thought no harm would be done by delaying the Bill until the Committee reported.

The Hon. Dr. GRACE said the true justification for this Bill was to be found in the fact that the Harbour of Foxton was in absolute want of wharf accommodation, and there were no means of supplying that want, because the district was a very poor one, and it was impossible to levy the necessary taxation. In his opinion money should have been provided for that purpose by direct appropriation, but, as there was no chance of that, the Bill should be passed.

The Hon. Captain FRASER thought the Hon. Dr. Grace had shown good reason why the Bill should pass. He would move, That the consideration of the Bill be postponed until the report of the Railway Committee has been brought down. This Manawatu River was of considerable size, and there was a large trade. He did not think the railway would affect the harbour in the slightest degree. The Council did a very kind thing last year: they gave a large endowment out of the Manawatu District to the Wanganui Harbour Board; and he thought it only right and proper that they should give the Foxton Harbour an endowment out of its own land.

The Hon. Sir F. DILLON BELL said he was in favour of this proposal. Honorable members would perhaps remember the reasons he had given for opposing some of the Harbour Bills which were brought forward for the Middle Island. He had opposed the endowment of some harbours there which were to be made rivals of other harbours, and which would take the revenue of the railway along the coast. He thought they were too apt to forget that, in the construction of railways along the east coast of the Middle Island, indeed from Amberley to Kingston, the Middle Island was much better served than any district in the North Island. The whole coast-line along the seaboard of Canterbury, Otago, and Southland would be very soon united by a line of railway, which would give facilities for export all along that coast; whereas, on the west coast of the North Island, not only were there great natural difficulties in the way of settlers taking possession of their land and shipping their produce, but, from the financial necessities of the colony, he was afraid they would not find it to be in their power to complete the line of communication already begun there. With regard to the proposal to make a railway from Wellington to Foxton, he was afraid that, looking at the character of the proposal itself, they would find the difficulties of making that railway very great, though he was himself very strongly in favour of that proposal being given effect to, if effect was to be given to any of the proposals before the Committee. In the meantime he would be prepared to support this proposal for the improvement of Foxton Harbour.

The Hon. Colonel WHITMORE could not help admiring the generosity displayed by honorable gentlemen from the South Island, who, in spite of their own Harbour Bills being rejected, showed great unwillingness to deal similarly with this Bill. He confessed that the arguments brought forward in its favour did not weigh very much with him. In order to make out a case it should have been shown, first of all, that the work was of some colonial importance. It should have been shown, for instance, that it was required as a harbour of refuge. Now, he understood that there was a harbour of refuge not far from it. Then, they had taken the step of endowing the Wanganui Harbour out of Manawatu lands. He was afraid it was that step, and not the necessity or desirability of endowing the Harbour Board of Foxton, that was the real origin of this proposal. It would be a very great pity if they suffered themselves to be carried away by arguments of that description, because that was an argument which would never come to an end until the public purse was entirely empty. It should have shown that there was a large district to be opened up by those harbour works. He had not heard anything about large produce, about a very valuable district, or about the convenience of a large population being served by the proposed measure. Then, as regarded the measure itself, it was true the Hon. Dr. Grace told them that wharf accommodation was needed; but it could not be contended that those large powers were required for the purpose of making wharves. From a colonial point of view, he thought the fact of their having endowed Wanganui was an argument against this proposal, because Wanganui would be the best port of shipment for that part of the country. There was another thing to be considered. This district had not a great deal of land at all, and was it quite fair to take so large an amount of land from the district, when the whole colony was going to live upon the general land revenue? In proportion, this proposed endowment would represent a great many hundred thousand acres in some other districts. As a North Island man, he felt that by the distribution of the land revenue they would be so much the gainers that he did not think it was a very small affair to sacrifice any portion that could be saved of the North Island land revenue. He would vote against the second reading of the Bill. As far as he was aware, the Government had not had an opportunity of considering this Bill, and his action on this occasion was prompted by his personal view of the matter.

The Hon. Mr. CHAMBERLIN was sorry he was not able to support this Bill, and opposed it on the same grounds as were urged against similar Bills. He believed the general feeling of the Council was that they objected to sacrifice the land revenue of the country. He failed to see the necessity for spending much money upon this harbour. It was surrounded by other harbours of a good class, and there could be no necessity at the present time for the expenditure of a large amount of colonial revenue at Foxton. Besides, as had been stated, Foxton, in a short time, would probably be connected with Wanganui

*Hon. Sir F. Dillon Bell*

and Wellington by rail. The honorable gentleman in charge of the Bill had not told them the value of the land with which it was proposed to endow this harbour. It might be worth 5s. or £5 an acre. He did not think that this Bill should be made an exception to the rule the Council had adopted, and thought that it should be rejected.

The Hon. Mr. PEACOCK said that honorable gentlemen would doubtless remember that, three or four years ago, when the provinces wanted borrowing powers, the Council unanimously prevented it. Now they were continually creating little borrowing machines, and he thought it was about time they should put a stop to it. They would have paper floating all over the world, which would create a very bad impression of New Zealand. People at Home would not be able to discriminate between a little Manawatu borrowing Bill and a colonial borrowing Bill. He did not think the honorable gentleman who moved the second reading of this Bill made out a good case. He would move, That the Bill be read a second time that day three months.

The Hon. Mr. PHARAZYN wished to make a few observations in reply to the Hon. Mr. Miller's remarks in reference to the railway. A friend of his, who lived in the neighbourhood, and who took a great interest in the Feilding Settlement, told him that, in his opinion, they might see a railway to Foxton in eight years' time. Of course if they had a railway they could do without the harbour, but eight years was a long time to wait, and some outlay was required on the port.

Amendment agreed to, and Bill ordered to be read a second time that day three months.

#### SOUTHLAND BOYS' AND GIRLS' HIGH SCHOOL BILL.

The Hon. Sir F. DILLON BELL, in moving the second reading of this Bill, said its object was to establish schools on a basis similar to that of the Otago Boys' and Girls' High Schools Act recently passed. He thought the proposal contained in this Bill was one that would commend itself to those who desired to help the cause of secondary education. The population of the Education District of Southland was growing every day: it was one of the most fertile and valuable parts of the whole country; and there was no doubt that some provision of this kind would have to be made for education there. He would ask the Council to agree to an amendment of the present proposal in two important particulars. The Bill was founded on the expectation that a school would be established, but the school was not established yet. He therefore proposed to alter that part of the Bill so as to provide that, if no efficient steps were taken for the establishment of the school contemplated within a period of three years, the endowment proposed to be granted should cease. The second proposal he would ask the Council to agree to, would be that the Education Board should have the opportunity of selecting the site for a school building, in the same way as was provided in the Otago Boys' and Girls' High Schools Act for the school in operation in Dunedin. He would be satisfied that reserves should be granted

to an extent that would yield an annual rental of £500, and upon that point he should be glad to hear the advice of other honorable members who took an interest in the subject. With those few remarks he would content himself by moving, That the Bill be read a second time.

The Hon. Colonel WHITMORE did not object to the Bill, but when in Committee he hoped that the honorable gentleman would make it clear whether, after making the endowment proposed, there would be anything left at all for secondary education in that district. He was inclined to think that there was a want of precision on that point in the honorable gentleman's remarks, and it was rather an important part of the scheme. However, that was rather a Committee objection, and he should not oppose the principle of the Bill. He hoped they would hear from the honorable gentleman something that would convince him that, first of all, the endowment would suffice for the purpose, and that it would not absorb all the endowments for education in that part of the country.

The Hon. Mr. MENZIES took the same objection to this Bill as he took to the Otago Boys' and Girls' High Schools Bill a few days ago. The Council was well aware that on different occasions he had opposed proposals to admit of that selection being made from the educational reserves which were set aside for secondary schools. He fancied that he had the sympathy of honorable gentlemen, but, on a division, he was in a hopeless minority. Having decided the principle in that case, the Council would, no doubt, adhere to it in this instance. With reference to the general question as to the desirability of having any sum set aside, he held the same opinion as he did in favour of this proposal as he did in favour of the proposal for Otago. He conceived that an adequate sum should be set aside: it was simply the mode of doing it, and the proportion, to which he objected. He considered that it was as desirable to set aside a considerable amount, a sufficient amount, in fact, for a high school in Southland, as it was to set aside an adequate sum for a high school in Otago. He said so without hesitation. There could be no doubt in the mind of any one who was familiar with the district and acquainted with its capacity that it would be an exceedingly populous district before the present generation had passed away. There could be no doubt as to the necessity for having a good school established—a school of such a character as would be established under this Act, and established with ample endowments. He thought that was undeniable. Therefore he should take no further exception to the Bill beyond repeating the objection which he had made on a former occasion, that the mode in which the selection was made did not meet with his concurrence.

The Hon. Mr. WILLIAMSON only desired to say that there seemed to be a want of confidence in the provision that was made for these schools. One-fourth of the educational endowments was set aside. They did not seem to think that that was sufficient, and they must now have a specific endowment. He did not think these high schools should be confined to one particular part of the

country, and if those special endowments were taken over it appeared to him that there would not be much left for other schools. He thought that the one-fourth of the endowments given by the Council would be ample for the endowment of these schools.

The Hon. Mr. PEACOCK did not see the necessity for this Bill. There was some reason for passing the Otago Boys' and Girls' High Schools Bill, as the endowment was for schools already in existence. In the present case the school did not exist, and was not expected to exist for a considerable time. They had already decided upon a plan that a certain portion of the educational reserves should be given as endowments to high schools and secondary schools, and therefore he did not see the necessity for passing this Bill at all. He did not think it ought to be passed. He did not like to press his objection, but he thought they should read this Bill a second time next year. They had already said that the Otago High School was to have £1,250 a year, and the Hon. Mr. Menzies pointed out that that was a very large portion indeed of the income; and if they passed this Bill the amount proposed to be given would be much more than the income. He did not see his way clear to support the passing of this Bill.

The Hon. Mr. MENZIES wished to explain the position of the matter, which the honorable gentleman seemed to misunderstand. There were two educational districts established within the Provincial District of Otago: the one was the Otago Education District, and the other was the Southland Education District. The Otago Boys' and Girls' High Schools Bill provided for the establishment of a high school, and that a fourth part of the reserves should be set apart for education within that educational district. This Bill provided for a high school within the Southland District by setting apart one-fourth part of the education reserves as an endowment for the purpose.

The Hon. Mr. CHAMBERLIN said that, if he understood the Hon. the Colonial Secretary aright, he offered no objection to the principle of this Bill. He should like to know if the Government would be prepared to support any other Bill that might come before the Council for the same purpose, because, if one or two parts of the colony were to be favoured in this way, he did not see why other places should not be equally favoured. They would, no doubt, see honorable members from Hawke's Bay, Nelson, Wellington, and other provincial districts asking for similar endowments for a like purpose. There would be no end of these Bills, and the consequence would be that all the endowments would be frittered away. He should certainly oppose this Bill.

The Hon. Mr. HALL said that this Bill did not propose to give to Southland any more reserves than it had got for secondary education purposes; it only provided that a certain portion of those reserves should be set apart for a particular purpose—namely, the Boys' and Girls' High School. It was true that the Bill did not exactly say so. It said,—

"It shall be lawful for the Commissioners

appointed under the School Reserves Act passed or to be passed in the present session of Parliament, or by two Commissioners appointed for that purpose by the Governor, to select, out of the reserves for education in the Educational District of Southland, such reserves as will give an annual revenue at present of £600."

It did not say out of reserves set apart for the purpose of secondary education in the Education District of Southland; and an alteration should be made in the clause to make that clear. The honorable gentleman who last spoke seemed to imagine that they were being asked to give something more to the Education District of Southland than had already been given. If that were the case he should not look on the Bill so favourably as he did. The object of this Bill was simply to constitute a local machinery for carrying out a very important object, and to give to the persons in charge of the machinery a part of the funds which had already been set apart for that object. They knew very well that, after the local body was organized, they would go to work with much more heart when they knew that they were likely to have sufficient means at their disposal to carry out the object in view. The object of the Bill was a desirable one, and, with the slight amendment to which he had drawn attention, he should be glad to support it.

The Hon. Mr. HART thought the last clause should be altered, as it was perfectly absurd to set aside lands which at present afforded a rental of £600 per annum, when an income out of the rental of £600 per annum would be adequate for the support of such an institution. That reservation was out of proportion to the revenue that would be derived from the endowment. It was assuming that the property would remain at its present annual value instead of assuming it to be a prospective rental which in a few years would be ten times that amount.

The Hon. Sir F. DILLON BELL thought that the many discussions which had taken place upon the Otago Boys' and Girls' High Schools Bill would have removed any doubt in the minds of honorable members as to the principle on which such reserves were to be made; otherwise he should have troubled the Council with a much longer explanation than he had thought it necessary to make. As had been clearly pointed out by the honorable member opposite (Mr. Menzies), there were two education districts in the Provincial District of Otago: one was the Education District of Otago, and the other was the Education District of Southland. There was no attempt at all made by this Bill to gain an advantage for the Education District of Southland which it did not already possess by the separation of the two districts. Honorable gentlemen must bear in mind that the object of these two Bills was to do something entirely new. It had not been thought, at the time when the proposal to separate the education reserves and grant one-fourth for secondary education was under consideration, that a plan would have arisen for establishing an entirely separate governing Board for the two high schools: one of these was already established, and the other,

*Hon. Mr. Hall*

it was hoped, would soon be established too. He would ask if the Board of Governors of the Southland High School could be expected to undertake all the trouble and labour that would be required to be taken by those engaged in establishing such a school, unless there was some specific provision to insure some real result from their labour. It would be quite useless to attempt to set up these separate organizations in the two districts unless they had allocated to them sufficient endowments to maintain the schools in efficiency. With regard to the observation made by the Hon. Colonel Whitmore, that the proposed endowment to be granted under this Bill would absorb the whole of the education reserves in the district, it was for the Council to consider whether the object of the Bill was not of such importance as to justify the allocation of even the whole of the education reserves to it, as there were no other funds immediately available. He would ask the Council to consider whether they could hope to have any secondary education at all in the District of Southland if they did not accede to such a proposal as was contained in this Bill. Was not the importance of the object sought to be attained sufficient to justify the allocation of even the whole of the money available from the reserves? How could they deal better with the money available, than by the carrying out of such an organization as that now proposed? They could not expect persons to devote themselves to an object of this kind if they could not depend upon something in the shape of a permanent income. He hoped these remarks would meet the objection raised by the Hon. Mr. Peacock; and that the honorable gentleman would see that there was no injustice in the proposal, even if it absorbed the whole amount for secondary education in the Education District of Southland. But he hoped the income from the endowments would increase, so as to realize a sufficient sum to endow a high school at River-ton or any other parts of Southland. The objection taken by the Hon. Mr. Hall to the terms of the last clause could be easily met, by using the same words as were contained in the Otago Boys' and Girls' High School Bill already passed, and there would be no objection to the use of a similar phrase in this Bill.

Bill read a second time.

The Council adjourned at half-past eleven o'clock p.m.

## HOUSE OF REPRESENTATIVES.

*Tuesday, 27th November, 1877.*

First Reading—Second Reading—Third Reading—Privilege—Thames Volunteers—Aided Schools—Prize Firing—Thames Mines Inspector—Rev. T. Grace—Railway Materials—R. W. Meadows—Wairoa Mail Service—Napier Hospital—Waitoa Land—Civil List Bill—Greenwood Pension Bill—Public Works Bill—Land Bill—Native Affairs.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

## FIRST READING.

To Aro Reclamation Bill.

## SECOND READING.

Law Practitioners Bill.

## THIRD READING.

Law Practitioners Bill.

## PRIVILEGE.

Mr. KELLY.—Sir, I have been requested by the Public Petitions Committee to obtain your ruling upon a question raised before the Committee as to the bearing of Standing Order 384 upon the following case. The Standing Order is as follows:—

"It is contrary to the usage and derogatory to the dignity of this House that any of its members should bring forward, promote, or advocate in this House any proceeding or measure in which he may have acted or been concerned, for or in consideration of any pecuniary fee or reward."

The case to which the circumstances relate is this: A petition was presented to the House from Messrs. Holmes and Co., who were railway contractors under the Provincial Government of Canterbury, and who made a considerable claim for extras, which had been pressed from time to time upon the Provincial Government, and ultimately formed the subject of an action in the Supreme Court. The honorable member for Wellington City (Mr. Travers) presented the petition to the House, and he was summoned by the Committee to give evidence before it. I may remark, in fairness to Mr. Travers, that he frankly stated before the Committee in what capacity he appeared. He stated that he had now nothing whatever to do with the transaction in a professional capacity. He said he merely presented the petition to the House, and that he appeared before the Committee in answer to a summons. He then simply stated the facts of the case. During the inquiry it appeared that the honorable gentleman had acted for the petitioners as solicitor, and, of course, had obtained the usual remuneration. My attention, as Chairman of the Committee, was drawn to this fact, and I was asked to give a decision as to whether the honorable member for Wellington City, under the circumstances, came under this Standing Order. My own opinion was, that the honorable gentleman had not come under the Standing Order, but I was requested by the Committee to ask for your ruling on the subject.

Mr. SPEAKER.—I am obliged to the honorable gentleman for having drawn my attention to the question. After considering it, it seems to me that Standing Order 384 does apply to this case. It appears that Mr. Travers did present a petition, while the rule says,—

"It is contrary to the usage and derogatory to the dignity of this House that any of its members should bring forward, promote, or advocate in this House any proceeding or measure in which he may have acted or been concerned, for or in consideration of any pecuniary fee or reward."

The question is, Is a petition a "proceeding"? If an honorable member presents a petition, can

he be said to have initiated a proceeding in Parliament? I cannot but think that the presentation of a petition is a proceeding. If it be, therefore, the fact that Mr. Travers was employed professionally by the petitioners at some former time, and now brings forward a petition in reference to the same case, I think he is acting contrary to the terms of the Standing Order. At the same time, I must say there does not appear to have been any advocacy in this House. I may say it is very desirable that those members who are engaged professionally for petitioners should not themselves present petitions.

Mr. REYNOLDS.—The Chairman of the Public Petitions Committee has forgotten to mention that Mr. Travers was engaged in 1872—five years ago—to act for the petitioners. He had not been engaged lately in the case: in fact, he had had nothing to do with it since 1872.

Mr. GISBORNE.—I was going to raise that point. Does it matter how long a time has elapsed since the honorable member may have been interested in this matter before he presented the petition?

Mr. SPEAKER.—I can only take the Standing Order as it appears. The Standing Order does not say that an honorable member must have acted within a specified time. It merely says, "he may have acted." There is no restriction, as far as I can see, as to time. I will take this opportunity of observing that I think there is a want of care displayed in the drafting of these rules. The consequence is, that when you come to apply them strictly they require a great deal of consideration, and are very troublesome. In my opinion, this Standing Order does preclude the honorable member for Wellington City from acting as he has done.

Mr. FOX said that the offence created by the Standing Order was that of taking fees for "forwarding or promoting any proceeding in the House." It did not appear to him that that applied to Mr. Travers's case, who had merely been counsel in a case in the Supreme Court five or six years ago, which was then decided and put an end to. His now presenting a petition for the former plaintiff in that case could not connect his reception of fees in the Supreme Court with the "proceeding" of presenting the petition. He respectfully submitted that Mr. Speaker should reconsider his ruling.

Mr. BRANDON.—I think the rule can only refer to the identical matter brought into the House.

Mr. TRAVERS.—Sir, I hope the House will permit me to state the facts of this case. Many years ago I was concerned for Messrs. Holmes and Co. in a law-suit which they brought against the Provincial Government of Canterbury; but the whole matter, as far as I am concerned, dropped five or six years ago. A short time ago the honorable member for Christchurch City (Mr. Richardson) asked me in my place in this House to present a petition which, I understood, had some connection with the matter to which I have referred. I thought it my duty to present the petition, for I consider that it is the duty of any member of this House to take charge of a

petition when he is requested to do so by one of the public. I did not conceive that in so doing I was in the slightest degree promoting or advocating any proceeding in the House. I considered I was simply bringing a petition before the House as any other honorable member would have done. I did not intend to take any further action in the matter. However, a summons was sent to me to attend the Public Petitions Committee and give evidence in relation to the case, and in doing so I had to produce some original papers connected with the case, which belonged to the petitioners. As I read the Standing Order, it is meant to prevent members of the House from bringing forward or promoting in the House measures for which they have received pecuniary fee or reward. I have received no fee or reward in connection with this petition. I apprehend it is the receiving of a fee or reward in connection with a petition which constitutes an offence against this House. It is hardly necessary for me to say that I undertook to present the petition without any pecuniary consideration whatever. I was concerned in the case of Messrs. Holmes and Co. some years ago, when I was not a member of this House; and, if I had known that my action in presenting the petition would have affected my present position in any way, I should have requested the honorable member for Christchurch City to get some other honorable member to present it. I had not the slightest idea that in presenting the petition I was guilty of any infraction of the privileges of the House. I have read the Standing Order, and, with all due deference to your ruling, Sir, I think the essence of the rule is that, before any person can be charged with an infraction of it, he must be proved to have received some pecuniary fee or reward for introducing, promoting, or advocating the measure in the House. If that is not the meaning of the rule, it is merely a trap. If I have committed a breach of the privileges of the House by presenting the petition, I can only apologize to the House for so doing. I think Mr. Richardson was influenced in asking me to present the petition simply by the fact that he thought that I should have been able to state shortly to the House the nature of the claim that was made. I trust, if I have been guilty of a breach of the privileges of the House, that honorable members will understand that it was done inadvertently on my part.

Mr. REES.—Of course nobody will think that the honorable member for Wellington City who has just sat down acted otherwise than inadvertently; but at the same time, Sir, I think your reading of the rule is correct. I must confess, however, that if the rule is taken strictly it is a trap. The rule is full of bad English, bad composition, and bad grammar, and taken strictly it is simply a trap which people may tumble into without knowing it. I think it would be a good thing to have it so altered that members of the House might know distinctly what it meant. However, as the thing now stands, I think your ruling is quite correct.

Mr. DIGNAN.—I wish to know what effect

*Mr. Travers*

your decision will have upon the proceedings before the Committee. I may say that I differed from some members of the Committee as to the meaning of the Standing Order. In the action I thought it right to take in the matter I had no desire to cast any reflection upon the honorable gentleman who presented the petition, or upon the petitioners. I acted strictly in accordance with what I conceived to be my duty, seeing the way in which other legal gentlemen had been dealt with by this House in reference to matters somewhat similar to this. I believe I read the Standing Order correctly. The Chairman of the Petitions Committee did not agree with me, and I requested him to bring the question before the House in order to obtain your ruling. I hope it will be the means of preventing legal gentlemen in this House from taking part in matters in which they may have been at any time personally interested.

Mr. SPEAKER.—With reference to the point just raised, as to the effect which this would have upon the investigation of the Committee, I conceive that it will not in any way affect that investigation. I am sure the House will not for a moment suppose that the infringement of this rule, if it be so, was at all intentional, or that it in any respect reflects upon the honorable member. At the same time I cannot but express my opinion that the proceeding was unwise, and I cannot interpret the rule otherwise than I have done. Let me illustrate it, and bring it nearer home: Supposing that A B was last week engaged professionally for any one in reference, say, to any contract or work done for the Government with regard to which claims had been brought forward and not successfully urged. We will say that the Government of the day did not see its way to meet those claims, and that, a week afterwards, A B, being a member of the House, presents to this House a petition in respect to the subject-matter about which he had been contending unsuccessfully—that he presents a petition appealing to this House. True, it might be the mere presentation of the petition—there might be no urging of the matter—yet would the House not conceive that to be the bringing forward of a “proceeding” in the House in which the member had been interested? The wording of the rule places no limit on the time, and I cannot see how I can do otherwise than place the interpretation I have put upon it—namely, that there has been an unintentional infringement of the rule, which, I may say, is loosely worded, and is more to blame than the honorable member.

Mr. RICHMOND.—Will the proceedings on the petition have to be commenced *de novo*?

Mr. SPEAKER.—I do not suppose the House intends to take any notice of this matter, except in so far as it may be desirable to amend the rule. It does not affect the proceedings before the Committee.

#### THAMES VOLUNTEERS.

Mr. TOLE asked the Government, if they will lay before this House the report of the Commission recently held at the Thames to inquire into the case of the suspension of Volun-

teers Gordon, Mears, and others from the Rifle Corps in the above district? Certain charges were alleged to have been made by these Volunteers against their commanding officer. An inquiry had been instituted, and he had received a telegram on the subject, which he had forwarded to the Defence Minister. It was to the effect that the result of the Commission was that the charges had not been in the slightest degree substantiated. He should like to know what was the report of the Commission, and whether the Government intended to reinstate these Volunteers, or what course they intended to pursue in the matter.

Mr. SHEEHAN could only say, as a matter of fact, that the Commission of inquiry had finished its labours, and that the report and evidence were on their way to Wellington. When received they would be laid on the table, but he could not say what course the Government would adopt in the matter.

#### AIDED SCHOOLS.

Mr. KENNEDY asked the Colonial Treasurer, If he will place on the Supplementary Estimates a sufficient sum of money to continue those public schools, established in various parts of the colony in conformity with provincial law, known as aided schools, and hitherto receiving aid from their respective Provincial Governments? He had placed this question on the Order Paper before the Native Minister had given him an answer the other night. He hoped he would also give him a favourable reply on this occasion. He had only to say that in the Westland Ordinance of 1874 there was a provision which enabled any fifty householders requiring a school to petition the Board for the establishment of such a school. Under this regulation, there had been a school established at Greymouth, and another at Hokitika; and he believed there were several schools established in the Province of Nelson under a similar provision. He was aware that in regard to these schools established in Westland considerable obligations had been incurred in providing an educational staff; and to suddenly cut them off from aid would be a considerable hardship upon the management. He trusted the Government would be induced to make some provision on the Supplementary Estimates in aid of these public schools.

Mr. SHEEHAN replied that, Parliament having affirmed the principle of secular education, he might say it was not the intention of the Government to make any provision for non-secular schools. So far as the remainder of the present financial year was concerned, the Government would place on the Supplementary Estimates a sum equal to that which these schools would have received if the present Education Bill had not been passed; but, after that, all aid would cease, and the education of the colony would only be controlled by the new law.

#### PRIZE-FIRING.

Mr. BRANDON asked the Minister for Defence, If the Government do not intend to place on the Estimates a sum for prize-firing? He much regretted to see that no provision was made in the Estimates of the late Government for prize-

firing, as that was a matter in which the Volunteers took a great interest; and he wished to know whether the present Government would make provision for it.

Mr. SHEEHAN said it was not the intention of the present Government to contribute to general prize-firing. It was still under consideration whether a small sum should not be appropriated for local prize-firing; but the general match-meetings, which had taken place annually for the last four or five years, were for the present abolished. They might be renewed when the colony had a more overflowing exchequer.

#### THAMES MINES INSPECTOR.

Mr. ROWE asked the Premier, If Captain Goldsmith, the late Inspector of Mines at the Thames, has been promised that he shall be reinstated in that office; and, if so, the reason for such promise being given? He was induced to ask this question in consequence of having received communications from the Thames on the subject. As previously stated, the people there were exceedingly anxious to do away with every possible expense connected with the Warden's Department. The late Attorney-General came to the Thames and consulted on the subject with the Borough Council, the County Council, the Warden, and others, but did not make any distinct promise. After he left, however, he communicated the fact that he had come to the determination to do away with this office; and a large reduction was made in the office, one officer having been removed—namely, the gentleman mentioned in the question. However, within the last week communications had been received from the Thames that Captain Goldsmith had been reinstated. That gentleman was lately in Wellington, and stated to him (Mr. Rowe) that he was here for other business than this; but, under any circumstances, the telegrams received at the Thames caused considerable feeling there. He was sure the people there were very well satisfied with the present arrangement, and were not desirous of paying £300 a year for the salary of this officer. He acknowledged that there had been a little jealousy between the County and Borough Councils, but that was done away with, and the two bodies were now working more harmoniously together.

Sir G. GREY replied that Captain Goldsmith was not reinstated in the sense implied by the honorable member who put the question. It was believed by the Government that Captain Goldsmith was still Mining Inspector; and that question had never been settled, but was merely hung up. It had then been proposed to continue him in the office. After this resolution had been come to, and it had been hurriedly communicated to Captain Goldsmith that he would be Mining Inspector, it was found that another gentleman had been appointed. It therefore became impossible to reappoint Captain Goldsmith, unless the other gentleman resigned, which he had not done, and the matter was still left unsettled. Hence arose the complication. It was thought desirable, in consequence of representations made by the Borough Council of the Thames, that the In-



spector should be an independent officer, neither connected with the Borough Council nor with the County Council. He (Sir G. Grey) first mentioned the matter to Captain Goldsmith, in a hurried way. He asked him no questions, and had no time then to make inquiries. Captain Goldsmith was not in the least to blame in the matter.

#### REV. T. GRACE.

Mr. FOX asked the Government, Whether, and how, they intend to settle the claims of the Rev. T. Grace, under the award of the late Commissioner Beckham, and in accordance with the recommendation of a Committee of this House?

Mr. SHEEHAN said it was the intention of the Government to settle these claims as soon as they had been able to consider the award of the Commissioner and the recommendation of the Committee. He did not know that he would have time to go into the matter so as to be able to place a sum on the Supplementary Estimates; but, if there was not time, the Government would settle the claims during the recess, and ask the House next session to confirm their decision.

#### RAILWAY MATERIALS.

Mr. HURSTHOUSE asked the Minister for Public Works,—(1.) What the nature of the instructions is relating to the issue of materials from the Storekeeper to gangers on the opened railways? (2.) Whether any instructions have been given to prevent unnecessary routine? (3.) Whether it is true that, in the Public Works Department, engineers in charge of construction works are required to obtain the sanction of the Inspector of Stores before they can permit the issue of materials to the opened lines? He put this question on the Paper in order to ascertain whether the statement made by Mr. Conyers before the Railway Management Committee was correct. The statement made was most extraordinary, and was to the effect that it required some thirteen requisitions before any material to repair the railways could be obtained. He believed he was correct in saying that such was not the case; but it was a statement which was likely to mislead the public. He hoped the Government would be able to contradict the statement.

Mr. SHEEHAN hoped, as the question was of rather a technical character, that the House would excuse him if he read a reply furnished by the permanent head of the department. It was to this effect:—

"(1.) The printed directions issued in April last direct that any employé requiring material is to requisition on the Storekeeper, who will issue materials direct, subject to the Railway Managers' approval.

"(2.) The Engineer-in-Chief's attention being directed to a portion of the evidence given before the Committee on Railway Management, he has written to the Superintending Engineer expressing his disapprobation of the circuitous process stated to be permitted in the southern railways.

"(3.) It is not true that engineers in charge of construction have to obtain the sanction of the Inspector of Stores to issue materials to opened

lines. The Inspector of Stores' duties are of the nature of an audit: he inspects stock, and audits books and returns, to see that stores purchased are duly accounted for. There are no instructions of any kind to lead engineers to suppose that the Inspector of Stores interferes with the directions to issue. Engineers in charge of construction are entirely responsible for directing what issues of material shall be made."

#### R. W. MEADOWS.

Mr. KENNEDY asked the Minister for Public Works, What course the Government intend to adopt respecting the petition of R. W. Meadows, reported on by the Public Petitions Committee on the 5th November instant? This person had received an injury on the Brunner Railway, and had since been in the hospital, and, although recovered, was unable to earn a livelihood. The Petitions Committee recommended the matter to the favourable consideration of the Government, and he hoped the Government would give him a satisfactory reply.

Mr. SHEEHAN replied that, in accordance with the recommendation of the Public Petitions Committee, the Government would consider the matter and deal with it. At the same time he could hold out very little hope of anything being done in the way of giving this person compensation.

#### WAIROA MAIL SERVICE.

Captain RUSSELL asked the Postmaster-General, If he will cause inquiries to be made of the Chief Postmaster at Napier as to the advisability of an overland mail being sent twice each week between Napier and Clyde, in Wairoa County? He had presented a petition from the people of Wairoa praying that this might be done, and he understood the Public Petitions Committee had reported favourably on it.

Mr. FISHER had much pleasure in informing the honorable gentleman that instructions had been issued to have inquiries made as to the cost; and, if the cost was not too much, the service would be carried out.

#### NAPIER HOSPITAL.

Mr. SUTTON asked the Government, Whether they will make provision on the Supplementary Estimates to assist the erection of new hospital buildings at Napier? He wished to bring under the notice of the Government that the hospital buildings at Napier were quite inadequate for the purpose for which they were required. Eighteen months ago the Provincial Government devoted £1,000 towards erecting new buildings, and a large sum was collected by public subscription for the same purpose; but he was informed that it would still require about £1,000 to complete the work. If the Government would put that sum on the Supplementary Estimates it would be money very well spent. It was proposed to erect the new hospital on a site which was now wholly occupied by the military barracks, and which would be much more suitable than the present site.

Mr. SHEEHAN said that, in accordance with the statement previously made to the House, pro-

*Sir G. Grey*

vision would be made in the Supplementary Estimates for aiding the hospital buildings throughout the colony. The case of Napier was a very pressing one, more especially as the people there had very liberally put their hands into their own pockets to meet the cost of new buildings.

#### WAITOA LAND.

Mr. MURRAY brought up the following report of the Select Committee appointed in this case :—

"The Select Committee appointed to inquire into certain land transactions in connection with the purchase of the Puninga Blocks 1, 2, 3, and 4, and other lands in the Waitoa District, by Mr. F. Whitaker, jun., and by Mr. James Mackay, and also any proposed exchanges between Government and Mr. F. Whitaker, sen., and, further, to inquire into and report upon the claim of Mr. F. Whitaker to compensation for breach of an agreement made between him and the Government on the 22nd September, 1874, in reference to the land referred to, have the honor to report,—

"That the exchange of the lands at Puninga, proposed to be given to Mr. F. Whitaker for his claims to the land mentioned in his evidence under the head, 'Piako Purchases,' appears to have been a judicious transaction on the part of the Government, and should be completed without loss of time.

"That, in consequence of the failure of the Government to complete their undertaking to provide a good title to the lands proposed to be given to Mr. F. Whitaker by way of exchange, Mr. F. Whitaker has been subjected to loss; and that the Government should take immediate steps to ascertain and settle such loss.

"Your Committee have not had the means of examining the Natives interested, but have taken all available evidence, copy of which, together with the minutes of their proceedings, is attached; and they recommend that the same be printed."

#### CIVIL LIST BILL.

Mr. SHEEHAN said this was a Bill which had been introduced by the late Government, and the proposal it contained was briefly this: to increase the salaries of the Judges of the Supreme Court by giving them an increase of £100 for every five years of service. But the Government did not agree with that proposal, believing that the increase should be general. There were two propositions which must be admitted: first, that the Judges were at present underpaid; and, secondly, that provision ought to be made for increasing their salaries. The Government admitted that; and he thought the House would agree with his proposal, which was to leave the matter over till next session, when he mentioned that the Government proposed to appoint a Commission to investigate the whole question of the different Courts, the salaries paid, the duties performed, and other matters, so that the House next year might discuss the matter with a thorough knowledge of the subject. He therefore moved, That the Bill be discharged.

Bill discharged accordingly.

#### GREENWOOD PENSION BILL.

The House went into Committee to consider of leave being given to introduce this Bill.

Mr. SWANSON knew of no good reason why this pension should be granted. The officer who performed the duty of Sergeant-at-Arms had next to nothing to do—the whole thing was a sham, and why should they grant pensions to shams?

Mr. REYNOLDS did not wish to propose the rejection of the Bill, but, at the same time, he agreed with the honorable member for Newton. He did not know that Dr. Greenwood had any claim against the colony. He might also remark that he thought, in making appointments of this kind, some consideration should be given to gentlemen who had been members of the House, but who, owing to various causes, had become somewhat reduced in circumstances. At any rate, it was unreasonable to go outside, and then appoint persons over a reasonable age.

Mr. SHEEHAN said Dr. Greenwood was an old officer of the House, and was entitled to some consideration. Another thing: there might not be much work attached to the office, but he (Mr. Sheehan) held that any man who had been compelled to listen to honorable gentlemen in that House for five or six years was fully entitled to some compensation. On that ground alone the Bill should be accepted.

Mr. SWANSON said one thing he had to complain of was, this gentleman would not listen to them. Many times the House had had to wait while messengers were flying all over the building to find that gentleman to tell him to come and move his mace. It would never be admitted that the messenger could do the work: but by-and-by it was found that the messenger could lift the stick, and very often he had to do it. Perhaps it would be as well for Mr. Speaker to give a messenger an extra £10, and let him do the work altogether. He had been told there was a great distinction between the way in which the messenger did it and the way in which the Sergeant-at-Arms did it. He thought there was very little difference, and, if there was any, the messenger did it the best. To his great astonishment, the difference, when it was explained, was this: that it was the special privilege of the Sergeant-at-Arms to bring the mace in a dignified way on his shoulder, while the messenger was compelled to carry it in the hollow of his arm. But, as far as the real business was concerned, the mace went up and down with great regularity when the messenger did it. He detested all sorts of shams, and the best thing they could do would be to send the mace to the Museum. He had been a member of another Assembly which did its work very effectively without any such nonsense.

Mr. ROLLESTON said that no good could result from a discussion at the present time of the question whether the observance of these forms and ceremonies conducted to the dignity of the House. With respect to the remarks of the honorable member for Port Chalmers, he might state that the office was one to which this and other Legislatures had always attached considerable honor. It was an office

which had been bestowed upon gentlemen who stood high in the respect of their fellow-colonists in the past, and who could, without loss of self-respect, hold an office to which there was attached no considerable amount of work. The late holder of the office, Dr. Greenwood, was a gentleman of high character and ability, who deserved well of the colony generally. In 1849 Dr. Greenwood was a member of the Legislative Council of New Munster, and had since then held other offices with very great credit to himself and to the country. His (Mr. Rolleston's) only regret was that the amount was not double. In conferring a mark of honor upon such an old settler they were really conferring an honor upon themselves.

Mr. REYNOLDS was not previously aware that Dr. Greenwood was a member of the old Legislative Council; but there were two gentlemen who had been members of this Legislature who had a right to look for the appointment when Dr. Greenwood resigned, and he thought it ought to be laid down as a rule that the appointment should be conferred on gentlemen who had been members of the Legislature, and whose circumstance made the appointment of importance to them.

Sir G. GREY said the usual custom in England was to select the Sergeant-at-Arms from amongst retired members of Parliament, but the honorable member for Port Chalmers was incorrect in saying that he was selected on account of his having fallen into circumstances of distress. The first Sergeant-at-Arms he (Sir George Grey) had known was Sir William Gossett, an officer of Engineers, who was an old member of the House of Commons, and was in wealthy circumstances. During his period of office, his son acted as his deputy; and, when Sir William Gossett died, Lord Charles Russell, an old member of Parliament and a gentleman in good circumstances, was appointed to the office. Then Captain Gossett, the present Sergeant-at-Arms, was appointed, he having acted as deputy for thirty years. So far, the rule which the honorable member for Port Chalmers thought should be observed had been observed here. The office had been conferred upon some person who had a claim. In the case of Dr. Greenwood, every requirement was fulfilled. He was one of the oldest members of the New Zealand Legislature, and was a gentleman of most courteous manners, which was one of the first qualifications for the office. The appointment in his case was absolutely unexceptionable, and in all respects he had a good claim upon the House. The House would be consulting its own dignity in performing an act which would reflect honor not only upon this but upon any Legislature.

Mr. SWANSON said that if they were going to give pensions to distinguished colonists for services rendered he would not object, but he did object to giving a pension to the Sergeant-at-Arms as such. If Dr. Greenwood had performed any service to the country in a legislative capacity, if he had made any useful invention or discovery, let him receive a pension on that account; but he objected to pensions being given under false pre-

*Mr. Rolleston*

tences. He was prepared to say plainly that it was a sham and a pretence to give a man a pension for carrying about a bit of gilt stick. He believed in rewarding men for *bona fide* services, but he altogether objected to giving men pensions for having done nothing. In 1871 and 1872 the gentleman whose pension they were now discussing was seldom to be found, and great inconvenience was caused in consequence, because nobody could touch the mace but the Sergeant-at-Arms. At last, however, the taboo was taken off, and any member, or even any messenger, could handle it. If the colony wished to give a pension to any man for beneficial services rendered to the colony he would not object, but he did not think there was any necessity to give a pension to a gentleman who had done nothing useful. In fact, he looked upon it as a mere waste of money, and he thought that, if Dr. Greenwood had any friends in the House who wished to present him with a sum, they should put their hands into their own pockets for the purpose, and not be generous at the public expense. The thing was a complete sham, and he protested against the pension being granted.

Question put, "That this Committee recommends that leave be given to introduce a Bill to grant a pension to John Danford Greenwood, Esq., late Sergeant-at-Arms of the House of Representatives;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	37
Noes	...	...	...	...	8
Majority for	...	...	...	...	29

#### AYES.

Major Atkinson,	Mr. Hunter,
Mr. Ballance,	Mr. Lumsden,
Mr. Barff,	Mr. Manders,
Mr. Beetham,	Mr. Montgomery,
Mr. Bowen,	Mr. Murray,
Mr. J. E. Brown,	Mr. Murray-Aynsley,
Mr. Bryce,	Mr. Rees,
Mr. Bunney,	Mr. Richardson,
Mr. Burns,	Mr. Seymour,
Mr. Curtis,	Mr. Sheehan,
Mr. De Lautour,	Mr. Stevens,
Mr. Dignan,	Mr. Sutton,
Mr. Fisher,	Mr. Tole,
Mr. Fox,	Mr. Williams,
Mr. Gibbs,	Mr. W. Wood,
Mr. Gisborne,	Mr. Woolcock.
Sir G. Grey,	<i>Tellers.</i>
Dr. Henry,	Mr. Rolleston,
Mr. Hislop,	Mr. Sharp.

#### NOES.

Mr. Kelly,	Mr. Thomson.
Mr. Macfarlane,	
Mr. Nahe,	<i>Tellers.</i>
Mr. Reynolds,	Mr. McLean,
Mr. Rowe,	Mr. Swanson.

Motion agreed to, resolution reported to the House, and Bill read a first time.

#### PUBLIC WORKS BILL.

Mr. SHEEHAN, in moving the second reading

of this Bill, said it was a measure which would have the effect of supplementing the Public Works Act of last year. The amendments which were proposed were proved to be necessary by the experience of the working of the Act which was passed last session. They were chiefly of a technical and departmental character, and could best be discussed in Committee. He would be prepared to give any explanations that might be required when the Bill was in Committee, and in the meantime he would move the second reading of the Bill.

Mr. ROLLESTON did not wish to take up the time of the House in discussing the measure now, because he agreed it was more a matter for Committee; but he thought there were one or two provisions in the Bill which called for some comment. The 41st clause seemed to him to be a matter which required some attention. There the Government had the power to order any County Council to make, maintain, and keep in repair any road, bridge, or ferry; and the Governor had the power to take the road into his own hand, and spend money upon it out of the Consolidated Fund, without any regard whatever to the amount of money coming to the district in the shape of subsidies. That clause seemed to him to be an unlimited appropriation. The Governor would have the power of appropriating to any particular district any sum of money which the Executive of the day might choose to advise him to spend upon it. He quite admitted that the Government should have the power of insisting upon a district doing certain work; but the clause did not limit the amount to be spent by the amount of subsidies given to a particular district. He did not quite understand section 4 of the Bill, which provided for the taking of land for public works. There seemed to be no sufficient check upon the taking of public land, and the power given would be liable to considerable abuse. The general tendency of our legislation during the last few years had been to deal very arbitrarily in this matter of taking land. He did not wish to occupy the time of the House, as the objections could be discussed when they got into Committee on the Bill.

Mr. J. E. BROWN said that he did not object to the second reading of the Bill, but, as the Hon. the Minister for Public Works was unable to take charge of it, he hoped it would not be further proceeded with at present. Some very important alterations would have to be made in the Bill, which would require great consideration on the part of the House, and also on the part of the Minister for Public Works. This appeared to be a departmental measure most seriously affecting public interests, and when in Committee he should be prepared to propose some alteration in it. It was simply a return to the old system, which they had upset last session. It would work with great hardship to the public, as Road Boards would have powers which they never anticipated that they would possess, and which they might exercise so as to work a great deal of mischief. He hoped the Bill would not be further proceeded with until the Minister for Public Works was in his place.

Major ATKINSON said there were many powers given in this Bill which he thought were dangerous, and not sufficiently guarded. He referred specially to the 41st clause, where, undoubtedly, there was an unlimited power of spending any amount of money upon any work which the Governor might from time to time direct to be undertaken. If such a power as that were given, there ought also to be a power to make the district liable for the amount expended. The road should be made at the expense of the district, otherwise it would be a premium to the districts not to make their roads, and the mere stopping of the subsidies would not be sufficient. The subsidies would not make the main roads, and the effect of this power would be that every County Council would neglect to make the roads in order to get the work done out of the Consolidated Fund. He trusted the honorable member would not now proceed with the Bill further than the second reading.

Mr. HUNTER did not think that the provision with regard to the giving back to the original owner land not required was altogether fair; and that clause would have to be taken into consideration. The land not required should revert to the original owner under more favourable terms than were provided for in that clause of the Bill.

Sir R. DOUGLAS pointed out that the 12th clause gave great powers to Road Boards with reference to the stopping of roads. They should very carefully guard private rights in regard to roads. The Road Boards should not have the large powers proposed to be conferred upon them. It was quite sufficient for the County Councils to have those powers. In the Province of Auckland there were forty-acre settlers all over the country, and every man wanted a road made up to his own door. In some of the Road Board districts, embracing five or six thousand acres, a small section of the people could go and insist upon opening a road to their own doors, and put the Road Board to a great amount of expense. The power of making roads and stopping roads should remain entirely with the County Councils, and he would object to the passing of such a clause.

Mr. REID said the Bill contained some very dangerous provisions. He did not agree with the remarks made by the honorable gentleman who had just sat down. The provision made for the closing of a road was not final. The Board could only take the initiative, and give notice to the people of the locality. The Board were required to send in a report of their proceedings to the County Council. He thought the provision in regard to the closing of roads would never have any effect. He knew of many cases where it would be a very great boon to the district that a useless road should be closed, but it could not be done owing to the opposition of one or two individuals who did not, perhaps, require the road, but who thought they were doing a great service by keeping open a road which in many cases could never be formed or used. It was well known that those roads would never be closed under the provisions of the existing law.

He thought the Assembly should deal with each case in which a road was to be closed. The provisions of the Bill generally gave far too great a power to the Government, and he thought the country would be better with the Act already in force. If the honorable member would point out the special defects in that Act, and explain them, he (Mr. Reid) would be willing to give any assistance necessary to carry on the business without undue hindrance. It seemed to him that private property must be cared for, and he did not think it was sufficiently cared for in this Bill.

Mr. RICHARDSON hoped the honorable member would not propose the committal of the Bill to-day, but give honorable members time to look into several of the clauses. He would take exception to some of the clauses, but, as the honorable gentleman had stated that the discussion could be more properly taken in Committee, he would not now take up the time of the House. He did not approve of the provision in the 2nd subsection of clause 3. To enforce such a clause as section 4 would be to remove the restrictions contained in the Public Works Act of last year, and it was a worse form of taking land than that which was provided in the several Immigration and Public Works Acts repealed last year. Some alteration would require to be made in the clause referring to the taking of Crown lands, inasmuch as it provided that lands taken under this Act for colonial works should be vested in the local bodies. Again, with reference to section 7, he did not see how it was possible in all cases to obtain the consent in writing of all the persons interested in the land to the land being taken for public works. There might be persons interested whose assent could not be obtained, and whose interest in the land was not known. He hoped the honorable member would take time to look thoroughly into the Bill.

Mr. SEYMOUR said there had been objections raised to several parts of this Bill, but it appeared to him that the last clause—clause 41—which had been alluded to was the most important, and it was one that might be worked in a very harsh and objectionable manner. His honorable friend the member for Egmont thought they ought to couple with the clause some taxing power, for fear the expenditure exceeded the sums of money given by way of subsidies to the local bodies. He took leave to say that he entertained quite a different view of the matter. He would say that the expenditure certainly ought not to exceed the subsidies which were handed over to the local bodies. The Government ought never to have the power of putting on a rate upon the local districts which would be expended by an utterly irresponsible power, and not by the inhabitants of the district themselves. And then, again, he would ask, who was to be the judge of the neglect? Was it to be done, perhaps, on the *ex parte* statement of two or three persons who might happen to have the ear of the Government? Altogether, that clause was likely to work very objectionably, and required careful consideration and revision.

Mr. REES thought that this was not a Bill of the new Government, but of the late Government.

*Mr. Reid*

Mr. REID said it was not a Bill of the late Government. It might have been prepared for submission to the Cabinet, but it had never been considered by Ministers.

Mr. REES would like to know what the late Government did prepare. They were not responsible for the provincial liabilities, Supplementary Estimates, Bills, or anything. What did the late Cabinet do?

Mr. REID.—What has the present Cabinet done?

Mr. REES.—A very great deal more than the late Cabinet. It was perfectly childish for members of the late Government, when anything was brought forward, always to say, "Oh, it was never before the Cabinet." He should like to know what Bills had been before the late Cabinet, and when they had proposed to have their measures ready for submission to the House. If the House had waited for them it might not have separated for seven or eight months. He had not the slightest doubt this Bill had been before the late Cabinet.

Major ATKINSON must ask Mr. Speaker to call the honorable member to order, as he was absolutely contradicting the statement of another honorable member.

Mr. SPEAKER said that the honorable member for Auckland City East was quite out of order. When members of the late Government declared that this measure had not been before the Cabinet, the honorable member got up and asserted that it was. That was one of those contradictions which were quite out of order, and could not be allowed.

Mr. REES did not, of course, wish in the slightest degree to infringe the rules of the House. He was interrupted by one of the late Ministers, and the statement was not made by all that Ministry. Only the other day, when a certain Bill was before the House, the honorable member for Waikato said that he knew nothing about it, although he was a member of the Ministry and it had been before the Cabinet.

Mr. SPEAKER pointed out that it was not necessary that it should be an authoritative statement. If an honorable member made an assertion he must not be contradicted.

Mr. REES would not refer to the matter any further. He presumed the principle of the Bill had been before the late Cabinet, and, if not, it was most remarkable—

Major ATKINSON said the principle had never been before the late Cabinet in any shape. He had never seen the Bill. It was brought in by the present Ministry, and had Mr. Larnach's name at the top of it, as the honorable member would see if he only looked at the Bill. The honorable gentleman must therefore address his remarks to the present Government.

Mr. REES said the name printed at the head of the Bill was simply to show who brought it into the House. There were, no doubt, very large powers given in the Bill, but it seemed to him that some of them were really necessary for the proper carrying on of the public works system. In relation to the remarks of the honorable member for Christchurch City (Mr.

Richardson) with regard to the 6th clause, he might point out that they were not strictly correct. The property was not vested in the local bodies, but in Her Majesty, and if it was to be vested in the body corporate it would have to be done by Order in Council. After all, there was not much to discuss in the principle of this Bill, and the question could be better fought out in Committee. It would perhaps be better to give honorable members an opportunity of looking over the Bill before they went into Committee.

Mr. GISBORNE was not going to discuss the question of who was the putative parent of the Bill, as it seemed to him that it would result, as so many other measures had done, in a cross-breed between the late and the present Government.

Mr. REID.—No.

Mr. GISBORNE would not discuss the matter. He must, however, refer to what the honorable member for Avon said with regard to the 41st clause, which that honorable gentleman called unconstitutional, and expressed great surprise that a measure containing such a clause should have been submitted to the House. He could not see that there was anything grossly unconstitutional in it. It merely empowered the Governor to order a County Council or Road Board to repair a road or bridge, and, if they refused or neglected to do so, to have it repaired out of advances from the Consolidated Fund, and deduct the cost from the subsidy to that body. There must be such power in the hands of the Governor, or the work would not be done. But what surprised him was to find in the Counties Act of last year a clause of which the present one was almost an exact transcript, and at that time the honorable gentleman was a member of the House, and did not appear to have raised any objection to it. The clause in the present Bill said, "The Governor may from time to time order any County Council or Road Board to make, maintain, and keep in repair any road, bridge, ferry, or other public work within the county or road district." Then he came to the clause in the Bill of last year, which was passed with the honorable gentleman's approval.

Mr. ROLLESTON.—By no means.

Mr. GISBORNE.—The honorable gentleman did not apparently protest against it. The clause in the Counties Act said, "The Governor may from time to time order any county road, bridge, or ferry to be made, maintained, or repaired within such period as he may in any such order determine." The corresponding clause in the present Bill went on to say,—

"If the whole of 'The Counties Act, 1876,' is not in force in such county, or if the County Council or Road Board refuses, fails, or neglects to make, maintain, or repair such road, bridge, ferry, or public work within the period specified in any such order, the Governor may cause the same to be made, maintained, or repaired, and the expenses thereof shall be paid by the Colonial Treasurer out of the Consolidated Fund, and he shall deduct the amount thereof from any subsidies payable under any Act or Ordinance to such county or road district."

How did the 185th clause of the Counties Act run?—

"If the County Council shall refuse or neglect so to make, maintain, or repair any such road, bridge, or ferry, it shall be lawful for the Governor to cause the same to be so made, maintained, or repaired, and the expenses thereof shall be charged against the body corporate so refusing or neglecting as aforesaid, and may be deducted from any subsidies payable under this or any other Act of the General Assembly to such body corporate."

Almost exactly the same words. Then, how did the clause in the Bill before the House further provide? "In carrying out this provision, the Governor, and every person authorized by him, shall have all the powers and authorities which, under any law, are or may be vested in or could be exercised by the County Council or Road Board." The existing law said, "In carrying out this provision, the Governor, and every person authorized by him, shall have all the powers and authorities which, under any law, are or may be vested in or could be exercised by the County Council." In fact, he did not see the necessity for the clause in the present Bill, as its provisions were already contained in the existing law. The honorable member said the existing law did not say it was to be paid out of the Consolidated Fund, but, if the Governor ordered the work to be done and the County Council refused or neglected to do it, it must be paid for out of the Consolidated Fund. In that respect the clause of the Bill under discussion was better, because it would enable the Government to have the work carried out and paid for out of the Consolidated Fund until the deduction could be made from the subsidy. If the subsidy was not sufficient to pay the expenses, how was the Government to meet it except by taking an advance from the Consolidated Fund? If that was the only objection the honorable member had to the Bill he should have taken the objection to the clause in the Act passed last year, because the two clauses were almost identically the same.

Mr. SUTTON pointed out that the difference between the two clauses was that, whereas the clause in the Bill of last year referred only to County Councils, the clause in the present Bill referred both to County Councils and Road Boards. He objected to the power given under both those clauses, because it was a most dangerous one. If County Councils and Road Boards understood that if they refused to do a certain work the General Government would be bound to carry it out, they would refuse to do it, and would care little for the deduction that was to be made from the subsidy. It was a very difficult question to deal with, and one that must be very carefully gone into; but he was altogether averse from such a power being given to the Governor. He thought that if a clause could be so framed as to compel the local bodies to do the work it would be much better than the General Government doing it. He hoped, before many years were over, to see all local works done by local bodies, and the General Assembly, as it ought to do, looking after some-

thing else besides roads and bridges. Clause 40 of the Bill would require considerable alteration, as it was very carelessly drafted. As he read it, the penalty for cattle trespassing even on unfenced land was a sum not exceeding £50. He thought that the provisions of the present Public Works Act were better than these, and it would be better to take out this clause, as there was too much red-tape about it. He would vote for the second reading, but, as the Bill was only circulated that afternoon, he trusted that the Government would allow some little time to elapse before going into Committee on it.

Mr. McLEAN thought the honorable member for Totara addressed his remarks to the honorable member for Avon as if that honorable member had been a member of the late Government and was responsible for the Counties Act which passed last year. He had a clear recollection that the honorable member for Avon took very great exception to the clause in the Counties Act which had been referred to, because, he said, it gave the Governor power to do anything he liked. The honorable gentleman made a strong stand against it; and therefore it was rather hard for the honorable member for Totara to say that the honorable gentleman should not have allowed that clause to pass. The honorable gentleman had been long enough in the House to have escaped making such a mistake as that. With reference to the Bill itself, he did not suppose the Government held themselves responsible for or agreed with the assertions of their over-zealous supporters that this Bill was a legacy from the late Government. Many of the clauses were never seen by the late Government—at any rate, he never saw them—nor would they have brought in such a Bill as this; so that it was useless for honorable gentlemen to attempt to say this Bill was a Bill of the late Government. It would never have been brought down to the House until discussed in Cabinet, and it never had been discussed in Cabinet. He was pleased to see that many of the Bills which the late Government had introduced had been accepted by the present Government and its supporters, and he thought the Government would admit they had received some assistance from their predecessors. Any Government leaving office should be only too glad to assist their successors, and that had been the feeling of the Atkinson Government. But, if such assertions were to be made as were being made by the present Government and their supporters as to what had been left behind, the consequence would be that an out-going Government in future would be unwilling to give their successors any assistance. In fact, a Government leaving office would resort to the plan of destroying all papers, and distributing all the type—a state of things which he (Mr. McLean) should be very sorry to see existing. This Bill was not even in type when the late Government left office, so that they could not be held to be responsible. He hoped the Government would at once admit that such was the case.

Mr. MACANDREW said the Government admitted their responsibility for the Bill in so far as bringing it down was concerned; but cir-

*Mr. Sutton*

cumstances altered cases, and if the Bill had come down with the name of the late Minister for Public Works on it the House would have heard a different tune from honorable gentlemen opposite. He believed the Bill had been printed when the present Government came into office—that, however, could easily be discovered from the Director of the Printing Office—but at any rate it was in existence, and, so far from agreeing with the Bill as it stood, he might say he had a number of amendments which he should propose in it. There were, no doubt, some good points in the Bill.

Mr. REID.—Which are they?

Mr. MACANDREW said there were several. The Bill must be regarded as a legacy from the late Ministers; but, if its parentage were to be a debatable matter, the sooner it was dropped the better. Every session there were amendments proposed in the Public Works Act, and if, at this period of the session, an amending Bill was to be a cause of discussion, it would be much better to drop it. The object of the Bill was to facilitate the working of the new order of things, and honorable gentlemen opposite should be more anxious to see things get into working order than even the Government, and he did not see why the Government should waste time in pressing the Bill if it were not acceptable.

Mr. STOUT said the main question at issue seemed to be how to compel County Councils and Road Boards to make main roads, and he believed the only remedy would be to give ratepayers individually a right of action, as in England, against County Councils that did not maintain the main roads, because the danger to be apprehended was that these bodies would spend money upon the by-roads instead of upon the main roads. He raised that very point when the Counties Bill was being discussed last year. So far as the present proposal went, he saw no objection to it. So long as subsidies were paid by the Government, he did not see why the Government should not have the power to compel roads to be made. When the subsidies ceased, that would be a different matter, and then the remedy of which he had previously spoken might be applied. He might state that it had been held in New Zealand that persons could sue Road Boards for negligence to repair. One Road Board had been sued on account of a person having been injured owing to there being a hole in a road, and the party aggrieved had recovered damages. If the principle were adopted that private wrongs might be grounds for action against bodies corporate of this kind it would soon settle this vexed question. While the Government paid subsidies, however, they had a right to demand that the main arterial roads should be kept up, and he thought that those who had urged Abolition so strongly should not object to that provision in the Bill.

Mr. MANDERS said neither the Public Works Act nor the Counties Act gave any indication of what were to be considered main arterial roads—it was left to the County Councils to consider that question, and at a meeting of delegates from some Councils in Otago the question had been

taken up, and the following resolutions had been passed:—

"That provision should be made for enabling Councils to construct or repair any district road, bridge, or ferry when the same is neglected by the Road Board of the district, and to deduct the whole or any portion of the cost of such repairs from subsidies due to or receivable by such Road Board."

"That power should be given to Councils to direct upon what works within road districts subsidies should be expended."

The amending Bill seemed to meet that resolution to some extent by subsections 7 and 8 of section 12. There had been a conflict in Otago between these local bodies on the point, and also in Canterbury, he believed. The Tuapeka County Council and Road Boards had disagreed, and the consequence was that little was done. So far as he could see, the 4th clause of this Bill was a necessity, and he thought that that and other clauses were the outcome of the conference held in Dunedin. He thought the Bill should be allowed to go into Committee, and, if they then found it would be an impracticable Bill, it could be withdrawn. He was surprised to hear the Minister for Lands, because the Bill was criticised—as he (Mr. Manders) thought, fairly criticised—threaten to withdraw it on the plea that there was a dispute as to its parentage. He could assure the honorable gentleman that some such Bill as that was necessary, and he hoped it would be allowed to go into Committee.

Mr. WOOLCOCK remarked that a great deal had been said about the failure of the county system, but he had the honor to represent a part of the colony where the Counties Act had been brought into full operation, and where it was working very satisfactorily. The public works that had been done in that district under the Counties Act were far in excess of what had hitherto been done under Provincialism. There had been some difficulties, such as were to be expected, but, on the whole, the Act had worked well, and he thought it would be as well that nothing should be done in the way of amendment till another year, when the effects of the county system would be more marked. He hoped the Bill would not be gone on with, and that things would be allowed to remain as they were at present.

Mr. ROWE hoped that things would not be allowed to remain as they were, for he was aware of instances in which very great injustice had been done, was still being done, and would continue to be done unless there were some amendments made in the Counties Act. He referred especially to the case of Coromandel County. In that county there was one riding containing sixty or seventy electors, who returned three members, while another riding, which contained five hundred or six hundred electors, only returned four members. The Chairman voted with the three members, and therefore the Counties Act was not brought into operation, mainly owing to the representatives of sixty or seventy people. Then, again, all the gold fields revenue came from the more thickly populated riding, but a part of it was spent in the riding which had

the less number of electors. He trusted that during the present session some provision would be made to rectify such palpable abuse of the system. He hoped some measure would be introduced to rectify such injustice and such inequities. The Counties Act was, as a whole, well suited to the requirements of the colony if properly carried out, but still there were some mistakes which required to be rectified.

Mr. ORMOND said that the Minister for Lands was entirely mistaken in saying that his (Mr. Ormond's) name should appear at the head of this Bill, and was also mistaken in saying that the Bill was printed before the late Government went out of office. He never saw it, neither did he furnish any of the data upon which its provisions were based, so that he was quite at a loss to understand how the Bill came into existence, except by the action of the present Government. Some of its clauses were founded upon some rough notes he left in the office as to matters that required attention. He also thought that the Bill might, in part, be founded upon representations sent in by the various local bodies, which representations were left in the office in a confused heap, with some notes written on them. That was the only recollection he had of the Bill, which was never seen by the late Government. He remembered that after the present Government went into office Mr. Larnach asked him if he knew anything of the amendments that were intended to be made in the Public Works Act. He told the honorable gentleman that certain amendments were intended to be made, and that, if he sent him the draft of the Bill, he would be glad to go over it; but the honorable gentleman did not send him the draft, and he never saw the Bill until it was placed before him in the House.

Mr. SHEEHAN said it was a pity the Destitute Persons Relief Act was not in force in the House, for a more gross desertion of one's offspring he never saw in the whole course of his life. The late Government had abandoned their bantling, and given it the cold shoulder in the most heartless manner. The Bill, he believed, was printed before the present Government came into office: at any rate, it was in existence in complete draft form, and went to the Printer without authorization from the present Government. What a picture this disclosed of what the past administration must have been! An important Bill such as this is drawn up clause by clause, and yet the late Minister for Public Works never saw it! That only confirmed the statement made in the House and the country, that for years past they had been governed by Under Secretaries. Could there be a more edifying spectacle? An important measure was drawn up by the Under Secretary, the late Minister for Public Works disclaimed all knowledge of it, and some of his colleagues attacked its principal clauses. He could not entertain the proposal to postpone the second reading of the Bill until the Minister for Public Works was present, as the honorable gentleman's illness was of such a character that he could not be present for a week. However, having heard the arguments used, he had come to the conclusion that it would be the



fairer course not to pass the Bill through Committee that afternoon, but to allow time to consult the officers of the department, from whom, it appeared, the Bill really came, and see how much of the Bill was necessary, as the Government had no desire to deal in experimental legislation. With regard to two of the objections taken, he might say that no great mischief was likely to result from the operation of clause 41. It was a fair and reasonable power to exercise over the Road Boards. Without it the county system would get into a state of great confusion. It was a power which had been used by nearly all the provinces to control the Road Boards, and, used with discretion, it was a very useful power. Without such a power the moneys to be given from the Land Fund would simply be spent in making roads to the doors of the County Councillors, and the main roads would be left unfit for traffic. With some modification, the principle was a good one, and he hoped the House would pause before rejecting it. Still, having regard to the period at which the session had arrived, it might perhaps be wise to allow this unclaimed infant to go abroad until next session, in order that the Government should have time to deal with more pressing measures. Unless he was advised by the officers of the department that it would lead to public inconvenience to drop the Bill, he should adopt that course.

Bill read a second time.

On the motion, That the Bill be committed on Thursday,

Mr. REID said it was not the fault of the late Government that the Bill appeared before the House without parentage. The remarks of the Native Minister were calculated to put that point in rather an unfair light. The honorable member would see at once, if he reflected upon the matter, how unfair it would be to charge the late Government with the responsibility of provisions hurriedly prepared, it might be, by the permanent officers of the department on data furnished by the local bodies in various parts of the colony. The Bill never came before the Cabinet, where, as the honorable gentleman was probably aware, Bills were as seriously and as thoroughly discussed as they were in the House, and it would be unfair to say that, although the Bill was not drafted by the late Government and was never considered by them, they should be held responsible for it. It was the members of the present Ministry who were guilty of not performing the act of parentage towards this measure. The Minister of Justice also said that the circumstances connected with the introduction of this Bill disclosed the manner in which the government had been conducted for the past two years, and characterized the late Government as a Government that left matters to the control of Under Secretaries. He (Mr. Reid) rather thought it disclosed the style of government they might expect for years to come, when they saw the Government turn round upon their own Bills and say, "We are not responsible; it is the late Government who are to blame. We have not made any inquiry to decide whether any of these provisions can be dispensed with. We

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wanted some measure with which to associate our name, and we put the name of our Minister for Public Works at the head of this Bill. Surely you will assist us to pass it." There were, however, some clauses in the Bill to which he strongly objected: in fact, he failed altogether to see what necessity there was for the 41st clause. The argument of the honorable member for Totara, that the same clause was to be found in the existing law, was a very good reason why they should not pass the clause.

Mr. GISBORNE said this clause included Road Boards.

Mr. REID said he wished to exclude Road Boards, and that was why the provision should not be in the Bill. It was a most objectionable clause, and ought to be removed. They did not wish to impose upon the Government the necessity of interfering with purely district roads; it was the main roads that required looking after. But the provision for providing means from the consolidated revenue was very different in the two clauses. In this Bill the Governor had power, in the first instance, to take money from the consolidated revenue, and afterwards to deduct it from the subsidies. But he might take four times the amount required from the subsidies. The law, as it stood, said this: "The cost of maintaining such bridge, ferry, or ford may be recovered in equal moieties by the General Government from the counties on either side of the river." It did not give power to take the money from the Consolidated Fund. The Government might take it from the subsidies, and from nothing else. That was the distinction between the two clauses, and it was an important distinction. It was unfair to say that the late Government had had the Bill under consideration. If that had been the case they would have modified some and would have struck out many of the clauses; but they were in no way responsible for it. The present Government found the material in their offices, and they must hold themselves responsible for it. If they did not approve of the Bill they should not have brought it forward.

Mr. GIBBS referred to the clauses which related to altering and stopping roads, and said there was one subsection in clause 12 to which he took very great exception, because it gave the Resident Magistrate a power which he (Mr. Gibbs) thought he should not have. The appeal, in the first place, was to be confirmed by the County Council, but, in the event of the County Act not being in operation, the Road Board would take the position of the County Council. He objected very strongly to the Resident Magistrate taking the place of the County Council. It was probable, however, that the Government would introduce some amendment in the amended Counties Act which they were going to bring down, which would remove that objection.

Mr. J. E. BROWN understood the Minister of Justice to say that he would take charge of the Bill, in the absence of the Minister for Public Works. It was to be hoped that the honorable gentleman would make full inquiries as to what would be the probable effects of the Bill. There

was not a Road Board in the colony which would be satisfied, or which would carry out the law, if it were thought that so much power would be given to the Governor. Under this Bill the Governor had the power to order the Road Boards to do certain work, and, if they did not do it, he could get it done and pay for it out of the consolidated revenue. There could be no doubt that this was a most dangerous power to place in the hands of the Governor. This was a matter of the greatest moment, and he hoped that the honorable member, when the Bill was in Committee, would be prepared to make very great alterations in it.

Sir G. GREY wished to make one or two remarks in connection with this Bill. He would first address himself to the observations which had been made by the honorable member for Waikouaiti. That honorable gentleman seemed to think that the present Bill would be a destructive measure. He (Sir G. Grey) would point out that it was customary for a new Government to take up the work of the Government which had gone out of office. A new Government frequently found that certain measures had been framed on the advice of the permanent staff, and those measures they almost invariably took up, especially when the end of the session was approaching. He would give one well-known example of what he meant. When the Constitution Act, under which they were all sitting in that House, had been agreed upon by Lord Grey and the authorities of this country, and it was about to be introduced into the Imperial Parliament, the Ministry of which Lord Grey was a member were turned out of office. Their successors, however, took up the measure, and got it passed, the principal alteration they made in it being that there should be a nominated Upper House instead of an elective one. That rule was usually followed in Legislatures, and the present Ministry had followed it. They had taken up the measures of their predecessors, because they thought that in doing so they were acting in the best interests of the people of the colony. The late Government were quite correct in saying that this Public Works Bill was not printed by them. He had made inquiries, and found that it was not printed during their term of office. The Bill was prepared by the Crown Law Officers before the present Government took office, and it was sent down to the Government Printer with the following note: "Mr. Didsbury, — Revise and print for distribution.—C. O. ROSENBERG. 15/11/77." It was, therefore, printed since the present Government took office, and the members of the late Government were correct in saying that it was not printed by them. The present Government had followed the constitutional rule in regard to the measures of their predecessors, and they had always adopted them when they thought they would be consulting the interests of the public by so doing.

Mr. McLEAN was understood to say that he was pleased that the Premier had made that explanation. He would point out, however, that Bills were sent to the Printing Office by the Minister having charge of the preparation of

the measure, and were afterwards considered in Cabinet. It frequently happened that a Bill was sent from the Crown Law Office to the Cabinet, where it was greatly altered by Ministers, because the heads of departments and Ministers often looked at a thing from two very different points of view. He was glad to hear the Premier confess that the Bill was not prepared by the late Government, and that his colleagues had been making misstatements.

Sir G. GREY did not think that Bills usually went into the Cabinet from the Crown Law Office. He believed that, when such a Bill as this was required, the Minister in charge of the department consulted his colleagues and stated to them the general outline of the Bill; and, if his colleagues took no objection to it, the Crown Law Officers were instructed to prepare the Bill in accordance with the wishes of the Government.

Motion agreed to.

#### LAND BILL.

Mr. SHEEHAN moved, That certain Orders of the day, including the recommitment of the Land Bill, be postponed, in order to take the Maori Real Estate Management Bill and the Native Land Bill.

Mr. REID.—I would suggest that it would be very desirable to take up the Land Bill and dispose of it. There are only some trifling matters to be considered when it is recommitted, and, in fact, I think the recommitment might very well have been dispensed with, and the amendments made in the other branch of the Legislature. If the honorable member desires to have this Bill passed, as he professes, he should hasten its passage through this House. We have spent two nights over the Estimates, and, if we had sent up this Bill to the Legislative Council, that House could have been considering it while we were going on with the Estimates, with which they have nothing to do. It appears to me that it is not intended to give the other branch of the Legislature time to consider this Bill, it has been postponed so often.

Mr. SHEEHAN. — I admire my honorable friend's solicitude with regard to this Bill, but he ought to bear in mind that, the whole of the land policy having been changed, important alterations will have to be made in the Bill. We are now proposing to deal with the Land Fund as colonial revenue, and to classify the land throughout the colony, and we cannot pass the Bill in its present shape until we see how it will fit in with these proposals. It may be said that we ought to have had the details of our proposals down before now; but I can only say that we have been working almost day and night to get the business forward. This is a period of the session when honorable members are very solicitous about their constituents, and, having a recollection of promises that have been made, are taking care that they are not overlooked or neglected. The consequence is that the members of the Government are worked like pack-horses. I can assure the honorable member that there is no intention to allow this Bill to drift off the Order Paper, and if it is found inconsistent with our proposals,

and we have to drop it, we shall say so openly. In asking for its postponement this evening, we are influenced simply by the fact that we have not yet had time to consider how far it will coincide with our proposals.

Mr. REES.—On several occasions Ministers have been pushed to bring down this Bill, and on one occasion the honorable member for the Taieri said they did not intend to proceed with it. As has been shown by the Native Minister, the Bill must be affected in some of its vital points by the proposals which the Government have brought forward in the Financial Statement. The chief principle laid down in that Statement is the colonialization of the Land Fund, which, if carried into effect, must greatly influence the structure of this Bill; and therefore the question may very well be postponed until the other Bills on the Paper are disposed of. If honorable members will consider that one of the Ministers is ill in bed, and that the others have been very much pressed by motions made in this House, they will see that it is only reasonable that this measure should be put off for a day or so. There is plenty of work to go on with, and I think the House would hardly venture, as a matter of principle, to force on the reading of a Bill which must be influenced to a great extent by the proposals of the Government.

Major ATKINSON.—The question now under consideration seems to me to be the question of the session. It involves not only the question of the Land Fund, not only the question of whether those honorable gentlemen are sincere in what they say they are going to do, but it also involves the locking up of the whole of the lands of the colony, if the proposals are not carried out. I must confess that I never listened to anything—not even the Financial Statement—with more astonishment than I did to the speech of the Native Minister, because, if he is going to bring down a Bill to equalize the price of land all over the colony, and classify it, I tell him it will take him two months to do that; and it is absolutely certain that we shall have to borrow this year, to make up our consolidated revenue, at least half a million, if that proposition is carried out. That is absolutely certain, and it appears to me that it would be much better for us to adjourn the House for two or three days to enable the Government to prepare their measures and submit them for the consideration of the House. It is a waste of time going on with the consideration of these comparatively small matters when the whole prosperity of the colony is jeopardized by the course we are now taking. I ask the honorable gentleman to consider for a moment what the statement he has made to-night means. It means that, if we are to have an equal land law, it will be impossible to get more than a very small Land Fund this year at all; therefore it follows, as a matter of course, that the deficit which I have shown, and which the Colonial Treasurer's Statement has shown, amounting to a quarter of a million, will be increased, and we shall have to borrow perhaps half a million for the purpose of making both ends meet. I ask the Government seriously to consider the lateness of the session, and the impossibility of bringing im-

*Mr. Sheehan*

portant Bills forward. I do not wish to blame them; but every one of us who has an interest in the welfare of the colony must feel that the position is serious, and I ask them to agree to the adjournment and consider what is to be done. Therefore I move, That the House do now adjourn till half-past seven o'clock on Thursday.

Mr. SHEEHAN.—I might remind the honorable member that to-morrow is a private members' day.

Mr. DE LAUTOUR.—It seems to me there has been a breach of faith somewhere. I understood that there was an engagement between the Opposition and the Government that the debate on the Native policy was to be taken to-night. In fact, I came here expecting to hear the promised speech of the honorable member for Clive, and was in anticipation of a great treat; and I am sorry that his leader should have interfered with that arrangement.

Mr. STOUT.—I cannot understand why private members who have business on the Paper are to be deprived of their Wednesday. This is the second occasion upon which the honorable member for Egmont has taken this course, and I cannot understand the reason for such action, unless it is that they wish to strangle the Native Marriages Validation Bill or the South Rakai Road Board Bill No. 2. On Saturday afternoon we saw them talking against time, and to-night they raise a question about the Land Bill. What does it mean? Sir, it simply means this: that the Opposition wish to shelve the financial proposals of the Government for this session. That is the whole object. Do not let honorable members labour under any misapprehension. If the two Bills are not to be considered together, and if honorable gentlemen who are supporting the generalization of the Land Fund support the honorable member for Egmont in this attempt to force the Land Bill down our throats, they will lose the Land Fund. I might understand this action if we had no business to go on with, but we have more than enough to last us to-night. I can only characterize the action of the Opposition as obstructive action.

Mr. LUMSDEN.—The speech of the honorable gentleman who has just sat down quite convinces me that the Government have no intention of passing the Land Bill. I have felt that all along, but I am more certain now on the point than I was before. The honorable gentleman talks about forcing the Land Bill down his throat. Why, there is no honorable member who has taken a greater interest in passing the Bill; yet he tells us that we are forcing the Land Bill down his throat! Unless the House makes a stand I feel convinced there is no hope of the Land Bill passing. I feel more interest in that measure than in any other introduced this session, and I am very desirous of seeing it passed here, and sent to the other House. I do not see why that could not be done, and the amendments inserted in the other House and sent back to us for approval. Surely the amendments can easily be made so as to make the Bill fit in with the new policy. That could not take many half-hours. It could be done if it was desired to be

done, and this House should insist upon that course being taken. Certainly I will take any steps open to me to secure that end, though I do not like to obstruct the business. I hope the Government will agree to go on with the Land Bill, settle the Southland question upon which we were engaged the other night, bring in the new clauses, and let the whole matter be disposed of as far as this House is concerned.

Mr. REID.—I hope this will not be treated as a party question, and I can assure this House that in drawing attention to the matter of the Land Bill I am not doing so with a view to party action. I believe the honorable member the Minister of Justice desires that the Bill shall be proceeded with, because he has assured me it is so. The reason given for the delay is that the financial arrangements proposed by the Government will affect the price of the land, because they wish to have a classification of and a uniform price for land all over the colony. But I would point out this: that if it is proposed to stop all land sales until the land is classified he must remember that it will take many months before there can be any classification of the land. It will take six months to accomplish that; and what I would suggest is, that the Bill now before the House should be passed pretty much as it stands, and that another Bill should be passed enabling the Governor to fix a time at which the classification shall be made, and to alter the price of the land. That would allow of this Bill being at once sent to the other branch of the Legislature. I would remind him that the whole body of this Bill will apply to any classification that may be established. The only part that would require striking out or alteration would be the appendices, which fix the different prices of land in different parts of the colony. I suggest that as a plan whereby we can pass this Bill without interfering with the policy of the Government. In no other way can we secure that this Bill shall be passed into law during this session, because it is not possible to classify the land for at least three or six months. The question of classification alone is a large one, and then you have a very difficult task before you to get men who are capable of the work. I hope these remarks may have some effect on the honorable gentleman. As to the adjournment of the House to-night, I see no necessity for it. I think we have business enough on the Order Paper, and we ought to go on with that. Still, I think the honorable gentleman is asking too much of us to postpone the Land Bill any longer.

Mr. MONTGOMERY.—Sir, I think it is to be regretted that the honorable gentleman should discuss a Bill not before the House, and I think he is labouring under a misapprehension as to the intention of the Government. I do not know, but I do not think their proposals would make any alteration in the land sales until the end of this year. Very likely the classification might not be complete then, but I can easily understand that they can ascertain the value of the land by putting it up to auction. It does not need Government surveyors to go round the country in order to enable them to find out what price

would be given for the land. Then my honorable friend the member for Egmont says we shall have to borrow half a million to make up the deficit if we adopt some system of which he evidently knows nothing. He says that, whatever system the Government propose, we shall require to borrow half a million of money. That was assertion. Where is the proof? The fact is, the honorable gentleman was simply sawing the air. The adjournment of the House would simply stop the public business, and no doubt the honorable gentleman's obstructiveness will be appreciated by the country.

Mr. ROLLESTON.—The honorable gentleman has now told us what has been currently reported in the lobbies by those gentlemen who circle round the Government benches, and who are said to be in a transition state. He has given utterance in the House to what is commonly reported outside, that the Government are going to put up the land to auction at a certain price, instead of classifying it as was stated in the Financial Statement. I am not at all prepared to accept suggestions of this kind from the honorable member for Akaroa or any other honorable member until they take their seats on the Government benches; but I assure the Government that a very great amount of anxiety prevails in regard to this matter. Whatever may be the merits of the proposals they intend to bring down, they must admit, when they tell us that we are to be dispersed in four or five days, that the anxiety of the Otago and Canterbury members is not without reason. The greatest administrative revolution that has taken place in the colony for many years is now about to take place; for, in addition to a change in the appropriation of the Land Fund, we are threatened with a change in the land law which, I venture to think, will be regarded in the Province of Canterbury with the greatest apprehension. I am aware that the greatest apprehension prevails in that province with regard to the proposals of the Government, and I only ask the Government to give us some definite understanding as to their proposals at the earliest possible moment. We are told that the bringing forward of the Land Bill depends upon whether their policy is accepted. If they could only bring down the Bill which is to embody their policy, as distinct from this Land Bill, we should be relieved from our anxiety. I think we should now listen to the Native Minister as to what he is going to do with regard to Native matters, and we shall listen with interest; but the Government cannot feel surprised at the anxiety of honorable members, for the Financial Statement is the most unsatisfactory Statement I ever heard delivered in this House. We were told, on the one hand, that the financial proposals of the Government were rendered necessary by the financial exigencies of the colony, and then the Minister for Lands says that this is not taking the Land Fund from the localities to generalize it for the benefit of the colony, but that it is to save for the localities 20 per cent. that they are not now getting. On the whole, the position is as unsatisfactory as it can be.

Sir G. GREY.—The policy pursued towards

us recently has been continually to deny that we are going to do some particular thing, and thus to try to hurry us to instantaneous action regarding it. The honorable member for Egmont expressed a firm belief that there was to be no Financial Statement; but the Financial Statement was made as soon as the pressure of public business would allow of its being made. It is said now that we are not going to bring down any proposals with regard to the land, and the honorable member for the Taieri has been good enough to sketch out the policy of the Government. I would ask the House to wait patiently. Our Land Bill will be brought down with the least possible delay, but we are not to be hurried into bringing down immature proposals. We have a right to ask for time to prepare our measures in such a way that they will be advantageous to the country. Impatience is not fair to us, and it cannot be productive of good.

Mr. BOWEN.—I do not think the Government realizes the anxiety which exists on this subject, not only in the House, but throughout the country. I confess to a still greater feeling of anxiety since I heard an honorable gentleman who is in the confidence of the Government make some remarks which convey the idea that the whole of the land throughout the colony is to be put up to auction. Not only have we had a complete revolution in the method of dealing with the land revenue, but we are now threatened with a revolution in the manner of dealing with the lands—a revolution that will upset land laws which have given the greatest satisfaction from the time they were first instituted. I am satisfied that nothing will create greater discontent in the minds of the people of Canterbury than a proposal to deprive them of the right of free selection. Throughout the history of that province, the greatest boon, the right which the people have always insisted upon, was the right to select land where they liked at a fixed price; and if a sudden attempt is made to put the land up to auction, and throw it into the hands of those who can afford to give the biggest prices, there will be such an amount of indignation as has never found vent before. I know, also, that the same feeling will be raised in Otago if the Land Bill now before the House is not passed, because the people of that district are aware that that Bill embraces principles which will promote the settlement of the country. I think that we should not go further in the direction of amending the land law this year than that Bill proposes. I have no faith whatever in the suggestion that we are going to have a Bill providing uniformity of system that will please every one. We have for two years discussed the question of amending the land law, and, after a great amount of debate, we have all but passed a measure which will consolidate the law, which will give general satisfaction, and which will go as near to providing a uniform land law as we can go at present. Yet we are put off from day to day when we desire to dispose finally of the Bill, and not the slightest hint is given by the Government as to what their proposals are to be. I am quite satisfied that the anxiety expressed in this House and outside will

become more intense, and that throughout the colony, particularly in the South Island, great indignation will be expressed if this question is delayed any longer.

Mr. W. WOOD.—Sir, I am only going to make a very few remarks on this subject. I was very much struck by the anxiety displayed by the honorable member for Avon in reference to my honorable friend the member for Akaroa. That honorable gentleman said my honorable friend seemed to him to be hovering round the Government benches. Well, I do not wonder at the ambition of the honorable gentleman, nor do I wonder that he and others feel their disappointment keenly. But, Sir, the honorable member for Avon reminded me very forcibly that a few weeks ago I noticed the honorable gentleman himself hovering around your chair, and I was inclined to think at the time that he had some design upon it. However, we all have to put up with disappointments, and should be resigned to our fate. I have been struck with the different views expressed by two or three gentlemen on the opposite side of the House who have shown their anxiety for this Land Bill. The honorable member for Egmont has declared it to be necessary that we should adjourn for three or four days in order that the Government might have time to prepare certain amendments which require to be made in the Bill. He declared that it was necessary to adjourn because when the Bill came before us it would take two months to pass it into law. The honorable member for Invercargill also expressed his anxiety about this measure, but he differed somewhat from his chief, because he thought that, instead of taking two months, the whole thing could be settled in half an hour. Then the honorable member for the Taieri thought it could be done in a month: but all three agreed that an adjournment of three or four days was necessary. I do not think there is any necessity for the adjournment. Tomorrow will be a private members' day, and the Government will doubtless have time to prepare their amendments. After that, if the Government desire it, I, for one, should not oppose an adjournment till Monday, and the Government would then have Thursday, Friday, and Saturday to consider the matter. I think that would be ample time.

Mr. ORMOND.—The motion of my honorable friend the member for Egmont has answered the object he had in view—namely, to call the attention of the House to the position in which matters stand. The position is this: Above a month ago the Premier said,—

“We have, however, clearly ascertained our position. We had devised a scheme of finance which I hoped we could have presented to the House early next week. I believe that system of finance would have been satisfactory to the House.”

But the Government have not yet placed their proposals before us, and, though five or six weeks have elapsed, they say more time is wanted; and when my honorable friend the member for the Taieri urges the Government to proceed with the Land Bill, in which he takes a great interest, he

*Sir G. Grey*

is told that the Government have not yet made up their minds with regard to it, and that they cannot go on with it because important amendments require to be made in it, which amendments they have not yet had time to prepare. The motion of my honorable friend the member for Egmont was not in the direction of obstruction. It merely said to the Government, "If you want more time, take it; but do not put off the bringing down of your proposals until it is too late for the House to consider them." It is the conviction of honorable members on this side of the House that the Government are delaying bringing down their proposals until the House dissolves itself. I say that these things are too important to be put off any longer. When the Government tell us one day that they hope to prorogue this House next week, and then soon afterwards inform us that their proposals will not be ready for two or three days yet, they are acting inconsistently, and are not doing their duty to the colony. It is their duty to the colony to see that important matters of this sort receive proper consideration. It is not right to say that this House should wind up its business within two or three days after they have brought down their proposals. My honorable friend the member for Egmont is not going to press for an adjournment. It is for the Government to say whether they desire time or not. I do earnestly urge upon them that it is their duty to bring down their proposals at once.

Mr. MACFARLANE.—Sir, of all the monstrous proposals I ever heard in this House, this one for an adjournment is the worst. Why should we adjourn when there is plenty of business to be done? Pray let us go on with the business. I hope the motion will not be agreed to.

Mr. SHEEHAN.—I think this motion ought to be withdrawn, for undoubtedly enough has been said regarding the matter already. There seems to be a diversity of opinion between honorable members as to the importance of the proposals which the Government intend to bring down. I understood the honorable member for Egmont to say that these proposals would amount to nothing, while the honorable member for Clive says they are about the most important that ever came before Parliament. Whom are we to believe—the honorable member for Clive or the honorable member for Egmont? As regards the question of adjournment, I say there is no necessity for adjourning. To-morrow being a private members' day, we shall have time to consider the matter, and prepare our proposals. I think it is unfair for honorable gentlemen to press us in this way, especially on questions of finance, when my honorable friend the Colonial Treasurer is so ill that he cannot be present. I think that, under the circumstances, the Opposition should not act as they have done in regard to this matter. I hope the motion will be withdrawn.

Major ATKINSON.—I shall be happy to withdraw my amendment.

Motion for the adjournment of the House withdrawn, Mr. Sheehan's motion agreed to, and Orders of the day postponed.

# NATIVE AFFAIRS.

Mr. SHEEHAN.—Sir, in moving the second reading of the Maori Real Estate Management Bill, I have to say that it is very gratifying to me to know that the Statement on Native Affairs which I made a few nights ago has met with so much favour in the House and throughout the country. There has been one accusation made regarding which I wish to say a few words. It has been said that my Statement was based upon the policy of a predecessor of mine in the same department, and I will now point out wherein my policy differs from that of the Government referred to. The views set forth in my Statement were not, I say, stolen from anybody. They are the views that I have held for the last seven or eight years. I expressed the greater portion of them in 1873, when the Native Land Bill was under consideration. I opposed the second reading of that Bill, I opposed it in Committee for several days, and I opposed its third reading. I fought against it, in fact, single-handed, and on that occasion I put forward the same views that I stated a few nights ago. For my own part, no amount of party feeling, no considerations of party, whether I was in the Opposition or in the Government, would for a moment so far blind me to the instincts of justice and generosity as to prevent my giving to a political opponent that merit which is due to him. Therefore I feel no compunction in according to the late Native Minister every credit for what he has done. Looking at the fact that he has served the colony for a very long time, looking at the many beneficial results which flowed from his policy, I felt bound to avoid as much as possible any reference to his administration which might tend to show that I did not give him all the credit that he deserved. It may be in consequence of that that the honorable gentlemen opposite have come to the conclusion that I had adopted many of the views of my predecessor. I shall now refer briefly to the present Bill, and to two other Bills referring to Native matters, one of which is on the Order Paper for to-night, and the other for to-morrow; and I think that the discussion which takes place on the Bill now before us will suffice for all three. The particular Bill now before us proposes to get over a serious difficulty in connection with the completion of our land purchases in the North Island. With many of these blocks of land, difficulties have arisen owing to the fact that in some of the Crown grants minors are named, and unless special provision is made it is impossible for those minors to dispose of their shares of the land. That is met to some extent by the Act of 1867, which authorizes the appointment of trustees, who have power to lease the land on behalf of the minors for twenty-one years. But something more than that is required. Is it not reasonable to ask that the Government should have the power to complete the purchase of the shares of those minors who are named in the Crown grants? That is the object of the Bill. I may say that there is another question to be considered—namely, whether or not this provision might not be made to apply to the lands of minors which have been

dealt with by private persons. The question is very important, and if we next year attempt the task which was attempted by our predecessors, and bring in a general Native Land Bill, I shall be prepared to insert provisions in that direction. But I think we are going far enough for the present year in the proposals I have made. The Native Land Bill is a Bill brought in in conformity with the statement made by me that I would endeavour to introduce a measure which would have the effect of preventing appeals being made from the Native Land Court without solid grounds for appeal. We propose to do that by requiring the payment of costs beforehand when the Court may choose to make such an order. That will prevent appeals being made on fictitious grounds. I also propose to insert in the same Bill a clause which I think will be found exceedingly necessary and beneficial in its operation—that is, a clause laying down certain understandable rules with regard to the mode in which the Court shall deal with Native lands. At present there are no defined rules. There is one system in Auckland, another in Napier, and another in Wellington; and the Court itself is not always certain as to what is the rule. The next measure to which I shall refer, but which has not yet been circulated amongst honorable members, is most important, because it is a measure by which we propose to wind up the present Government land-purchase system. I announced the other day that we should take power to settle with gentlemen who are now buying land for the Government; that we felt this would not be done for some time to come, but that we thought it better to close up the present system of carrying on the work, and appoint the officers of the department to do it. In the Bill before the House I have gone slightly beyond that proposal, and I will explain to the House how far I have prepared a clause, making applicable to all Government purchases the provisions which now only apply to land-purchasing in the Thames District. That is to say, I have inserted a clause preventing private individuals from purchasing from the Natives land in regard to which negotiations are pending with the Crown. At the present time there is a movement on foot throughout this Island, by offering high prices, and by statements not by any means based on facts, to induce the Natives to avoid completing the bargains they have entered into with the Crown. Even in the short time I have been in office half-a-dozen applications have been made to me to take back the money that had been paid, and to allow the Natives to sell their land to private purchasers. Only to-day I had a communication from Poverty Bay that there was almost a raid being made on the land there—that the Government officers were all by the ears, acting against each other and buying for private individuals. I took upon myself, without consulting the House, to have a communication sent to those officers that, unless they immediately ceased these private negotiations, they would be dismissed from the public service. I have also caused a circular to be sent round to all the officers employed by the department, informing them that, so long as they continue to receive pub-

*Mr. Sheehan*

lic pay as servants of the Government, they must not enter into any negotiations in Native lands, either for themselves or for other persons, except with the sanction of the head of the department. I am satisfied that the provision to which I have just referred is fair and just. We admit at once that many of these transactions cannot be closed yet, but we can save something from the fire. We can compound, and, if we cannot get the whole of a block, we can get part, and hand back the unsold portion to the owners. If private individuals are to be allowed to come between the Government and the blocks on which they have paid money, the country must make up its mind to lose three or four hundred thousand pounds. That being the case, I hope the House will not refuse to grant us the power which I ask for, and which this or any other Government will exercise reasonably and justly. After a time, when there is a possibility of closing the transactions, we shall make the best arrangements we can, and take the remainder of the land. These are, in effect, the measures to which I ask the House to consent in regard to Native affairs this session. There is on the Order Paper a notice of motion by the honorable member for Napier (Captain Russell) to insert a clause in the Bill to repeal section 88 of "The Native Lands Act, 1873," which provides for the dealing with real estate. I may say at once that we cannot accept that proposition at present. I think the question is one which is in some respects entitled to consideration, but I have to bear this in mind: that the clause which the honorable gentleman proposes to repeal was the most substantial outcome of the investigations made in 1869 and 1873 into our Native land system. For my own part I should be glad to see the House lay down this principle absolutely: that there should be no such thing as mortgaging of Native lands, but that they should be either leased or sold. The practice of obtaining money by mortgages on the lands, in dribblets of £5, £10, and so on, at a time, leads to the greatest improvidence on the part of the Natives, and, if allowed to go on, will, I fear, in time lead to much disturbance throughout the country. With these remarks I move the second reading of the Bill, with the understanding that on this question the discussion of the Native policy of the Government may be taken; and I hope you, Sir, will allow those who take part in the debate the same latitude that I have taken in referring to the different Bills, although they are not all before us.

Mr. ORMOND.—In the speech which the honorable gentleman has just made, in moving the second reading of this Bill, he has referred again to something to which he made reference in his former speech, which contained the declaration of the Native policy of the Government. It is in the highest degree creditable to him that he bore testimony, on the first occasion of his addressing the House as Native Minister, to the services which the late Sir Donald McLean rendered to the country. The tribute he paid to that gentleman was alike creditable to his good taste and to his good sense. The honorable gentleman, however, now, in his opening remarks, said his action

in this direction led people to conclude that he had, by his declaration of Native policy, virtually adopted the policy not only of the late Government, but of the continuous Government of past years, of which we have heard so much in this House. I propose to follow the honorable gentleman—not at extreme length—in the remarks he made in his declaration of Native policy, and I think I shall be able to show that, with the exception of one or two matters only, the honorable gentleman has entirely adopted the policy of his predecessors and of that continuous Government of which so much has been said. The honorable gentleman made reference to his own position in the past, and, although I am obliged to refer to one or two circumstances which he then touched upon, I shall be as careful as possible not to say anything offensive to the honorable gentleman in doing so. Why I am obliged to refer to that part of his speech is, that if I allowed his statements to pass unchallenged I should be admitting that many of the statements I have made in this House were incorrect, and, as I believe that I can substantiate everything I have stated, I must refer to that portion of his speech. The honorable gentleman, in talking of himself in the past, said that his connection with what has been known as the Repudiation party in Hawke's Bay was that of a solicitor to his client. As these matters have received a certain amount of notoriety, I will ask the House whether the sort of organization which they know exists in Hawke's Bay with regard to Native affairs is in the nature of the relation of solicitor and client. The House knows very well that it is an extensive organization; that it has a large political aspect, a large paid staff; that it has a newspaper; and that its ramifications are of the most extended character. I have yet to learn that such matters come within the relation of solicitor to client. I know that these ramifications are so extended that they amount to a very large political organization. The honorable gentleman said he had never undertaken any Native cases outside of Hawke's Bay in his professional capacity, and in that sense I quite agree that what he said to the House may be correct; but I also know absolutely that the organization known as the Repudiation party has ramifications of the most extensive character, which have extended across the Island to the West Coast—to Wanganui, to Manawatu, to Taupo, to the Ngatiporou country, and to the Arawa country. The result has been that it has operated largely in influencing the Native mind in regard to the land question. Honorable members know that what I have said is correct, and I think that it will be a sufficient answer to the honorable gentleman's statement with regard to his position in the past in connection with a party whose ramifications are very different from those which are necessary in the connection of solicitor and client. The difficulties which the honorable gentleman has to meet in the future have been very largely increased, as he will find, by the action of that society in the past. He will find it much more difficult to check the influence of such an organization in one direction than it was to direct it in another.

In his conduct of the duties of the Native Office he will find no greater difficulties than those raised by the Repudiation party which was first organized in Hawke's Bay. Before leaving that part of the subject, I should like to say to the honorable gentleman that as long as he is on the Government benches he may be quite sure that neither I nor any of my late colleagues, nor any one who has acted with us, will ever take the same course towards him and his colleagues as they have taken towards us in past years. I trust that when we attack those honorable gentlemen it will be on grounds of public policy, and that we shall not be found going into the private life of any honorable member to attack him in this House. So far as I am concerned, that is the course I have marked out for myself, although in the past we know that some of the members of the present Government when in opposition acted continuously in an opposite direction. The next point to which I come is the recognition by the honorable gentleman of the services of the late Sir Donald McLean, and his action in this matter, as I said before, I think reflects credit on his good taste and good sense; but it must be and will be a matter of surprise to the people of the colony that such a statement should be made by the Hon. the Native Minister after the statement we have recently heard from the Premier. I do not intend to Hansardize those honorable gentlemen, but the public of the colony are well aware that the main attack brought against the late Government, which has been called the "continuous Government," in past years, especially by the Premier, has been that on the Native policy of the late Sir Donald McLean. It is therefore extremely gratifying to the friends of Sir Donald McLean to know that the Native Minister, the moment that responsibility rested upon him, made a statement recognizing the services of Sir Donald McLean—services of the highest character, which he now admits have had so beneficial an influence in accelerating the progress of the colony, and in aiding the successful conduct of the Public Works policy. I said I should not Hansardize the honorable gentleman, neither will I, as to what has been said in the past; but I think he will not begrudge me the liberty of putting again upon record what he has said in his statement in reference to the late Sir Donald McLean; and I should also like to quote a few words said this session by the Premier on Native matters. I am referring to a time since which those honorable gentlemen have been upon the Government benches. In a speech on the want-of-confidence motion recently, the Premier made use of these words:—

"During the short period of time we have been in office, we have devoted our attention to questions of Native policy. That was, if possible, in a more tangled state than the finances of the country. What was the condition of the Native question at the time we took office? People murdered even in the neighbourhood of towns—the murderers fled to places of refuge—and the Government, daring not to speak upon the matter, meekly held their tongues: prisoners rescued on their way to prison, and the Government



powerless throughout the greater portion of the country."

That was the impression the Premier desired the colony to have in respect to the state of Native matters when he took office. Now, I just want to show, in contradistinction to that, the statement made by the Hon. the Native Minister in his statement of policy. He had been referring to some matters in which he had been blamed, wrongly no doubt—the surveys at Taupo, and another matter at Wanganui, which might occur to any Government who sat on those benches—and then he said,—

"So far as I can make out, those are the principal acts of lawlessness charged against myself and my colleagues. If we wished to adopt the *tu quoque* style of argument, we might point to many similar acts which have occurred during many years back—the murders of Sullivan and Todd, and the occurrence that took place a few days ago at Opunake—but they would not establish similar accusations against the late Government, any more than the occurrences I have referred to establish the accusations against ourselves. But I will state presently how I can quite imagine that these things may happen, and will show that it would be wise and prudent not to attempt to enforce the law at the risk of imperiling the peace of the country."

A little further on in his speech he made these remarks. He was referring to the Public Works policy, and the necessity for peace reigning in the country, and he said,—

"In saying that, I am by no means disposed to overlook the beneficial results of the Immigration and Public Works policy upon this Island. And here I would say, sinking all party feeling, forgetting all past differences, that it would be unfair to deny that to Sir Donald McLean we are largely indebted for the fact that from 1869 up to the present time we have been at peace with the Native people. Whatever may have been our differences with him, politically or privately, there can be no doubt that to him and to his policy, and to his determination to avoid a conflict with the Native people, we are indebted for the fact that we have not been called upon to encounter the Natives and to borrow money to carry on a war. It has been said that during these five or six years the old policy has been restored, that the law has not been vindicated, and that the Natives have been allowed to do as they thought proper; but I hold that on entering upon the Immigration and Public Works policy it would have been an act of suicide to have provoked or sought for a Native disturbance. The essence of our being able to borrow money in the English market was the fact that the colony was at peace. Had disturbances occurred about that time, we might have packed up our traps and left districts, which are now flourishing and prosperous, in possession of the Natives. And when we are reminded of these things—an outrage here and a murder there—I prefer to look at the general results, rather than to say that the perpetrators of these outrages should forthwith be punished, or that reparation at all hazards should be enforced. I look at the general results,

Mr. Ormond

and say that the colony must progress—that it is better to allow these acts to pass for a time unpunished on account of the greater good which is being performed for the colony."

I cordially agree with those sentiments: they do credit to his good sense. But I can only say that they differ very materially from the opinions expressed by the Premier. On this point I would only remark, further, that the public of the colony know well what have been the charges hurled by the honorable member at the head of the Government against the late Sir Donald McLean, and against his acts in his public capacity; and, when the public learn that the Statement of the honorable member's Native Minister so utterly refutes those charges, it will be a difficult matter for them to understand how such charges could have been made. More than that: the people of the colony may fairly look at the past and say, "Well, if this is the outcome of the most serious charge brought against the late Government, then what is the value of the other charges?" I think we of the late Government may leave the matter in that position. The next point in the honorable gentleman's speech was in reference to the education of the Native people. Here again the honorable gentleman bore testimony to the value of the services of the late Sir Donald McLean. I will quote a very few words of what he said. They are as follow:—

"Sir, I am again called upon to speak in praise of the gentleman, now deceased, who for several years held the office of Native Minister. The Natives are now, and have been for some years past, taught in the English language, and it was largely owing to his exertions that that system was introduced, and the system had only been prevented from becoming a greater success by the fact that the country had not sufficient funds to expend in carrying it out."

So that the honorable gentleman recognized that the late Sir Donald McLean was the originator of the greatest civilizing agency which could be employed for the benefit of the Native people. I entirely agree with the honorable gentleman in the remarks he made. He went to the root of the whole question when he said it was desirable to improve the class of persons engaged in teaching the Native people; and I can tell him that, of my knowledge of the late Sir Donald McLean, I know that that was one of the greatest difficulties he had to contend with. It is not an easy thing to get men to go out into the wilderness to become Native teachers, especially men of the kind required, because, unless you can get men capable of taking up a high position among the Natives such as will entitle them to respect, their efforts will be comparatively useless. I quite agree with him in the conclusions to which he has come with regard to that, and in this respect it will certainly be necessary to spend more money and to give adequate remuneration to men employed in this work, for unless that is done the success of the system will not be greater than it is at present. And I am sorry to have to express my opinion that up to the present time the measure of success has not been large, for the reason which I have just mentioned.

Further, I may say the experience I have had teaches me this: that we must not be too sanguine as to the immediate results. I may tell the House what has taken place in the District of Hawke's Bay in regard to the efforts of the more advanced of the chiefs. Mr. Karaitiana Takamoana, the honorable member for the East Coast, himself instituted a large school at his own place, Pakowhai, and another school was established by another chief, Mr. Renata Kawepo, at Omaha. These schools were put under the charge of trained masters. I do not remember who was the master of Renata's school, but Karaitiana secured the services of a trained teacher of high qualifications, and his school progressed and did good work for two or three years, during which time it was fairly attended. Karaitiana took all the measures that were in his power to raise the school to the highest possible standard of efficiency. He invited some of the settlers to join in the oversight of the school and act as a committee, and the school went on successfully for two or three years. At the end of that time the attendance fell off. The master complained that he was unable to get the children to attend; the parents grew careless; and the school, after working up to a high state of efficiency, broke down. I do not know whether it has been re-established. At Renata's school the result was pretty much the same. Now, these are two instances where the teaching was efficient, and where the teaching was aided by all other advantages obtainable, the Natives themselves assisting; and yet it resulted in failure. There is another instance in Hawke's Bay, where there has been greater success, and that is in the case of St. Joseph's Roman Catholic School at Napier, where some thirty or forty Native girls are educated and brought up. In this case the teaching is undertaken by ladies of education and refinement, who give their whole time and energies to the work, and the result is far beyond anything I have seen in any schools of a similar character. As head of the province in which I lived I made annual visits to this institute, and I saw that the girls were brought up in a way which would fit them to take a part in any European household; but even in this case I found, upon inquiry, that in some cases the girls had relapsed to the pa again. Well, Sir, when we see the utmost efforts made to civilize and educate the Native children, and when we see them go back to the pa after such training, we must not be too sanguine as to the effect of our teaching upon the Native people. I agree that it is our duty to do our best; and the honorable gentleman in the course he proposes is taking the best means to secure that success which we all hope for. The next point in the honorable gentleman's statement to which I wish to refer is his reference to the Native land purchases, and I may premise what I have to say upon this subject by stating that I had charge of that department while I was in the late Government, and therefore have full knowledge of what has been done during the past year. I followed the honorable gentleman's remarks upon this subject with a great deal of interest. I heard the honorable gentleman recite

to the House all the steps which he proposed to take to bring about an alteration in the working of that department, and I am bound to say that, when the honorable gentleman gave forth what he stated to be the policy of the present Government, he ought at the same time to have stated that he found that policy arranged ready to his hand. I shall briefly describe the steps taken by the late Government, and the House will see whether the policy of the Government is a new policy, or whether the honorable gentleman has not taken up the whole thing as we arranged it. The honorable member, as I understood him, inferred that the Native land purchase expenditure in the past had not been of a reproductive character. It is difficult to answer so general a statement as that. If the honorable gentleman means that the lands purchased are not worth the money spent upon them, he conveyed a very wrong impression, because two or three times the amount paid for them could be got to-morrow. Therefore I give an absolute contradiction to that. I am not, however, going to defend the whole of the land-purchase policy of the past. I say that Parliament itself is largely to blame for any mistakes that may have been made in that department. Some years ago Parliament placed unconditionally at the disposal of a Minister a sum of £400,000. In doing so it abrogated its proper functions, and it has no right now to say that the policy has not been absolutely successful because the monetary results to which it looked forward have not been fully realized. The House ought to have remembered, when it handed over to a Minister an immense sum of money like that, that it handed it over to a Minister to whom it had intrusted the duty of maintaining the peace of the country. I believe myself, and I think it is beyond all dispute, that the money was used more or less for purposes of a political character, and I say that this House itself on one occasion distinctly voted part of it for a political purpose. I should like to know whether the voting of £17,000 one session for the purchase of land in the Province of Auckland was not a vote of a political character. It simply meant that the Superintendent of Auckland was very urgent for monetary assistance, and the House granted him £17,000 out of the Land Purchase Fund on the most flimsy pretext. When the House lends itself to a transaction of that sort it cannot complain that the Land Purchase Fund has not been spent absolutely for the purpose for which it was borrowed. I wish now to make a few remarks upon the administration of the department during the past year, and upon my connection with it. When the House prorogued last year I had not joined the Government, but it was intended that I should do so as soon as I could arrange my private affairs. But before leaving Wellington I make inquiry into this land-purchase business, and made certain arrangements with regard to it. They were made with the assent of Sir Donald McLean, with whom I was on terms of intimacy and close friendship. The course I took then was to reduce the number of purchasing officers to a minimum. I then went through

the list of purchases on hand, and eliminated from it a very large number in regard to which I conceived there had been no arrangement made which properly bound either the Native people or the Government. The Native Minister in his speech the other night gave us the acreages of the purchases as they stand at the present time. He said that the purchases completed amounted to 1,967,402 acres, the uncompleted to 2,700,000 acres, and that there had been spent £540,000. Looking back to the statement made to the House last year, I find that the purchases then completed amounted to 1,331,000 acres, and the uncompleted to 2,941,000. Now, as evidencing that some progress has been made by the department, I will quote from the figures laid on the table this year, which show that during 1877 624,547 acres have been proclaimed waste lands of the Crown, and have been handed over to the Waste Lands Boards. That is to say, there were completed in 1875-76 1,331,000 acres, and in 1876-77 there have been 624,547 acres handed over to the Waste Lands Boards. The progress made will be made plain when I quote the following figures:—Land proclaimed waste lands of the Crown during the year 1873-74, 176,274 acres; 1874-75, 175,596 acres; 1875-76, 165,288 acres; 1876-77, 624,547 acres. These figures, show, at any rate, that the Government did what it could in the way of pressing on the purchases, and that the outcome was that the acreage I have stated, which was greater than the acreage proclaimed in the three previous years, was proclaimed last year. I stated just now that one of the first things I did was to weed out from the uncompleted purchases those lands in respect to which the Natives had not absolutely bound themselves to sell. When I went over this 2,941,000 acres, the purchase of which was uncompleted in 1876, I found that there was a large acreage where small sums had been paid on account of large blocks. There were blocks of large acreage upon which amounts of £5, £10, and so on, had been paid; and the course I took was to go through all these purchases with the officers of the department, with the object of picking out those transactions which were of a legitimate character, and of putting on one side those which were not of a definite character. The land purchase officers were instructed at once to stop any further proceedings in regard to the latter class of purchases—to drop them, in fact. They were told that the Government would not undertake any new purchases, and that, as regarded purchases abandoned, they were to take such steps as were open to them in order to get a refund from the Natives of the moneys that had been advanced to them. That disposed of a very large number of incomplete purchases. My honorable friend the Native Minister, in speaking the other night on this question, referring to the inadequate results of the land purchases, pointed out that there was a very small percentage of completed purchases in proportion to those which were incomplete. But he did not take into account the acreage which was dropped out by the late Government in the way I have described. It will be recollected that the honorable

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gentleman said that a very large sum would be required to complete the purchases. Now, with regard to the incomplete purchases, I will say that there are some blocks upon which the negotiations are not far advanced, and a considerable amount of money will be required to complete them; but there are very many blocks in connection with which the purchases are far advanced, and it will not require a great sum to complete them. Shortly before I left office a return was prepared which showed that to be the case. I quite agree with the honorable gentleman that a larger sum will be required than is now standing to the credit of the Land Purchase Fund; but, on the whole, I do not think that the additional amount will be very considerable. I do not think that it will be largely in excess of the amount which is available. I have said this because I do not think that the honorable gentleman's explanation of the position of these purchases was put to the House exactly as it stands. His statements tended to convey to the House the impression that the incomplete purchases were very extensive, and in a very unsatisfactory state. That is not the case. In connection also with this subject the honorable gentleman referred to the leases. He said that they were incomplete, and that there was not a single acre of land which was available for settlement. I may state that the total quantity of these leases is 1,540,000 acres; and I will explain their position from my point of view. The leased lands are nearly all situated in the Taupo District, and are of very inferior character, the proportion which is available for settlement being very small, and I doubt whether there are more than 10,000 or 20,000 acres fit for settlement. In 1869, just after the Taupo war, when the whole country was in a state of insecurity, certain Europeans went into the Taupo District and commenced negotiations for the leasing of this land. I was at that time Government Agent for the district, and I represented to the Government that it would be good policy on their part to stop the leasing of this land to the Europeans, as in my opinion their occupation at that time would have led to a great deal of difficulty. I represented that it would be well for the Government to secure the land. I took the matter in hand, and thus occurred the leasing of the Taupo lands. That was clearly a case in which the Land Purchase Fund was devoted to a political purpose. I always believed that the money spent could be fully recouped, but I do not look upon the transactions as such for which the House set aside money for land-purchasing in the North Island. It is quite true that none of these leases are absolutely complete: that is to say, there has been a death of one of the Maori owners, and a successor has not been appointed, or there has been a minor interested, or something of that sort. The course the late Government intended to take with reference to these leases was this: We anticipated that the Land Bill which we expected to pass this session would have put us in a position to deal with the outstanding claims in connection with these leases. We had that

course in view, and we also had under consideration whether we should drop these leases altogether, on the amount which had been spent upon them, which is very small—£5,000 or £10,000, I believe—being refunded. I believe that is quite feasible, and I think the Natives would have agreed to it. That would, I think, have been found to be a more satisfactory mode of dealing with the leases than retaining them in the hands of the Government. I have taken this opportunity to tell the House the position of these leases, because I think it is due to myself and to the House that I should do so. I do not think the transaction is one which the House will consider casts an obloquy on the late Government, and it was done many years ago for political purposes. Further, in connection with this question, the late Government absolutely proposed to do that which the present Government has said it means to do—namely, to abandon further land-purchasing. To show the House that this is not a new policy, I may state that instructions were given to the Land Purchase Agents, just after I took office, that they were to enter upon no new purchases at all. We determined to exercise more direct control over the Land Purchase Agents than had been the case previously. That part of the policy was therefore commenced by the late Government, and the honorable gentleman will find instructions in his office which were given to that effect. I have explained to the House that we had instructed the Land Purchase Agents not to make any other purchases; that we had reduced the staff; and that we had told the officers to devote the whole of their attention to the completion of the purchases they had in hand. The course we took with regard to incomplete transactions was this: We told our officers to go on completing the transactions they had in hand, and advised them that the Government would adhere to those transactions and purchases, and hold the Natives responsible for their completion. As I understand the honorable gentleman, he says, in regard to these incomplete purchases, that they will deal with such as they are able to deal with, and will then have the shares which are not purchased eliminated from the blocks. I am quite sure he will find that in a great majority of cases the Natives entered into distinct agreements to sell *bond fide*. Where there was any distinct agreement the Natives should be obliged to carry it out; and I think the Government will be perfectly justified in insisting that these purchases be carried to completion. I am certain that in the interests of settlement it is necessary these agreements should be adhered to, and that the Natives should be compelled to complete the sales. I could cite some cases with which you, Sir, are well acquainted, in which you have taken a great deal of interest, to prove what I have said in regard to the necessity for having these purchases completed. There is a block in the Seventy-Mile Bush which is the connecting link between the Provinces of Hawke's Bay and Wellington, and there are also those blocks on the West Coast, at Waikanae and Manawatu, in connection with which you, Sir, took considerable trouble and

pains with the view of completing the purchases. You felt a great interest in having this done, because you saw that it involved the future prosperity of Wellington. You are aware, Sir, that in the transactions to which I have referred the Natives entered *bond fide* into agreements to sell, and the whole of the tribes concerned made themselves more or less parties to the disposal of the land. I therefore urge upon the honorable gentleman to consider whether he should not adopt the course which the late Government proposed to take with regard to these lands—that is to say, in all cases where the Natives have entered into *bond fide* agreements to sell, to hold them to their agreements. If the Government bring forward any measure on the subject, I trust they will make provision in it for obliging the Natives to fulfil the arrangements they entered into with the Government. I urge this because I believe it to be a matter in which the North Island is very much interested, and on which its settlement very much depends. I come now to the commission question. Here, again, I claim that this is a matter which the honorable gentleman found absolutely ready to his hand, and not only in train, but far advanced towards completion. When I left office there were only two officers who had any transactions in their hands on commission. One was Mr. Mackay; and the other was Mr. Hamlin, who was acting on the East Coast. With regard to Mr. Hamlin, I may say that he had been partly paid by commission and partly by salary. His operations were carried on between Wairoa and Poverty Bay. He had done a large amount of work, and had been very successful, notwithstanding that his remuneration was partly dependent on commission; and he had only two or three blocks to complete. The only other officer in the colony who was purchasing on commission was Mr. Mackay, and his arrangement was made in 1872 by myself when I was a Minister in the Government of that day. The details of the arrangement were urged on the Government by the then Superintendent of Auckland (Mr. Gillies), who strongly recommended the employment of Mr. Mackay in the purchase of the blocks upon which he has since been engaged. This matter was in a fair way to be brought to a completion by the late Government, who desired, as this Government desires, to bring this commission business to an end. Before the session we made propositions to Mr. Mackay under which we were to take out of his hands the completion of a large proportion of the purchases in which he was engaged, and we were to employ upon them a regular officer of the Government, Mr. Preece, a gentleman who is the best land purchase officer in the service of the Government—an excellent officer, who has done more work, and done it more satisfactorily, than any other officer with whom I am acquainted. We proposed to take out of Mr. Mackay's hands about two-thirds of the purchases in which he was engaged, and urged upon him to take up the others and complete them as soon as possible. There was a difference with him upon the subject, and he came down to Wellington since the House was

sitting to make an arrangement under which he was to relinquish these purchases. This occurred a few days before the Government left office, and we should have concluded an arrangement by which we should have abandoned the system of purchase on commission, and employed regular officers. The House will therefore see that the arrangements of the late Government were complete in that direction, so that honorable members must understand that the abandonment of the system of purchase on commission is not a new policy, but that it is a matter which was entirely arranged for by us before we left office. The next point to which I wish to refer is the allocation of the land purchase-money, and on this my remarks will be very brief. As I understand it, there is so much of the Land Purchase Fund at present to the credit of Auckland, so much to Taranaki, so much to Hawke's Bay, and so much to Wellington. The expressed intention of the Government is to use the balances which are due to the other provincial districts in completing transactions in Auckland, as those transactions are the largest, and the funds to the credit of that provincial district are insufficient. I do not find fault with this arrangement, because it is followed up by a declaration that it is only a temporary measure, and the Government will next session bring down a proposal to recoup to those other districts whatever sums may be used out of their balances in completing the purchases in the Auckland District. The generalization of the Land Fund makes a great difference in this matter, of course. When the whole of the Land Fund goes into one common stock, it may be said that it makes little difference where the Land Purchase Fund is spent. There has also to be taken into consideration the question of the settlement of those districts which depend largely upon the purchase of land for settlement, as, for example, Taranaki, which cannot be settled unless land is purchased for the purpose. If the Government are not going to purchase land any more, this argument will not apply; but there is another which will directly apply. I understand the Government propose to allocate 20 per cent. of the Land Fund to the district in which it is raised, and of course if the whole of the Land Purchase Fund is spent in Auckland the other districts would lose that contribution. I hope, therefore, the honorable gentleman will keep in mind the promises he has made to the House on that part of the subject. The honorable gentleman then went on to the Native Land Bill, but did not sketch in any very clear way what the future intentions of the Government may be upon that subject. So far as I could follow him, it appeared to me that there was very little difference between the plan he proposed and that provided for by the Bill which was introduced at the beginning of the session by the honorable member for Waikato. The only difference which I gathered from his speech was that he adopted the recommendations that were made in the House by certain honorable members as to the Court of inquiry being largely assisted by Native chiefs. That suggestion, I believe, came from my honorable friend the member

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for the East Coast (Captain Morris) and from the honorable and gallant baronet, Sir Robert Douglas. It was their suggestion, and we as a Government were greatly influenced by the recommendations they made, and were prepared to take them up. But, outside of these recommendations, I do not gather that the Government makes any great departure from the Bill of the honorable member for Waikato. Of one thing I am quite certain, that the Native Minister knows very well that it is not at all likely that he or any other Native Minister will get the Natives to consent to the sort of arrangement the House expressed its desire for at an earlier period of the session. I refer to the arrangement which was, I think, proposed by the honorable member for Wairarapa (Mr. Bunny), and supported by the honorable member for Wanganui (Mr. Bryce) and the honorable member for Rangitikei (Mr. Ballance)—an arrangement under which the Natives were to be induced to dispose of their lands through the Waste Lands Board. I have some knowledge of this matter, and, taking an outside view of it, I say that in my opinion the Natives will not agree to that mode of disposing of their land. I will give the opinion of Mr. Tawiti, who was at that time our colleague, upon this question. We consulted him at the time the resolution of the honorable member for Rangitikei (Mr. Ballance) was before the House. It was the test question with him at the time, and we were desirous to meet the honorable gentlemen's views; so we consulted Mr. Tawiti as to whether his tribe and the Native tribes generally would agree to such an arrangement. His answer was "No"; that the Natives wished to deal with their own lands in their own way, and nothing else would satisfy them. That was in accordance with my own convictions. The only way in which the object aimed at by those honorable gentlemen who made this a test question at the beginning of the session can be arrived at is by individualizing the Native title as now proposed. But that was provided for by the Bill of my honorable friend the member for the Waikato, which set forth a simple and efficacious means of arriving at it. The honorable gentleman spoke of the Bill which followed up the withdrawal of the first measure—the Native Land Sales Suspension Bill—as a great mistake. As a question of policy, I entirely differ from the honorable gentleman in that respect. I believe that that was a sound measure, and I do not believe for one moment that it would have had any dangerous effect upon the Natives. It was the only legitimate way of checking very large speculation in Native lands during the coming year. When we brought in that Bill we had information, from the many sources open to us, that very large private land purchases were intended all over the colony. In every district where land-buying has not gone on to any considerable extent, there we heard that private purchases were being negotiated for. In the Tuhua District, at the back of Taupo, in the Ngatiporou country, and in the Arawa country this was going on: in fact, we heard of it in every direction where large blocks could be got. I am

aware that the Native Minister proposes to meet this difficulty by the provisions of "The Native Lands Act, 1873." But I say at once that I do not like, under present circumstances, to see the powers left in the hands of any Government which can be exercised under that Act—large powers of interfering with the operation of the law. That Act, as I understand it, provides that the Government may interfere to stop private purchases of Native land when it desires the land for settlement. But I cannot see how a Government a part of whose policy is announced to be that it is going to give up land-purchasing altogether can fairly go in and interfere with any transactions the Natives may carry on with private individuals. I think the Natives may very well say, "You tell the Assembly that your land-purchase operations are to cease; and now, when we deal with other people, you come in and say to us, 'We are going to take your land for settlement.'" I do not think the Government can legitimately take up the position the Native Minister says they are going to take. I think the question is fraught with difficulty. I do not like to put into the hands of any Government the power to say what arrangements shall be completed and what shall not. It is a wrong power altogether to vest in the hands of any Government, and I think their proposal in that respect is such as this House, if it discussed it thoroughly, would not approve of. Whatever they may do, the withdrawal of the Land Sales Suspension Bill, and the leaving this question in the position in which it now stands, is to largely leave the North Island open to land speculators. I believe no danger would have ensued if that Bill, which was urged upon the Government by those who desired the settlement of the North Island, had become law. I will again give the experience of Mr. Tawiti, and the advice he gave to the Government on that occasion. We asked him whether that Bill would endanger the peace of the country. He said, "Certainly not. If the thing is explained to the Natives, and they are shown that it will be to their advantage that this course should be taken, there will be no danger at all. There will be no objection on the part of the Natives to the stoppage of land transactions for a time." I think Tawiti gave the Government sound advice. I believe that Bill would have advanced the interests of the North Island, and I am sorry that that Bill was withdrawn. I am very sorry to trespass on the time of the House so long, but there is one more point about which I wish to say a few words—that is the question of Native representation. That is the second point upon which I see any change between the policy of the present Government and that of the late Government, and upon this point I shall give the Government a most determined opposition. As I understand the Government, they propose to considerably increase the special representation of the Native people. Before I express my opinion I wish to rectify a statement of the Native Minister as to the action of the honorable member for the Waikato. I do not think the honorable gentleman understood the proposal of the honorable member for the Waikato.

The proposal which that honorable gentleman sketched out in this House was that there should be some increase in the representation of the Native people, but that that increase should be given on condition that the registration of the Natives, for electoral purposes, took place at the same time. There is an absence of any such condition as that in the present proposal of the Government, and I am inclined to think that the proposal of the honorable member for Waikato and the late Government was much more sound, and in a right direction. It was teaching the Natives that in giving them these advantages there were prescribed forms which would have to be complied with. There is no such condition as that in the present proposal, and I say further that it is absolutely necessary that, if there is to be a continuance or an increase of the present system of special representation, the double system of representation which the Natives have at present should not be continued. In the interest of the European settlers of the North Island, that is necessary. The honorable gentleman said this was a small matter—it only meant a small percentage of the electorate. It may only mean 5 or 10 per cent. now, but if there are to be organizations in another place like there has been in Hawke's Bay it will be a very dangerous thing, which will seriously affect the privileges of the European settlers, because the Native vote is absolutely a block vote, as we have seen in the districts in which it has been exercised. Therefore, if the Government propose to increase the special representation, it is unreasonable to ask this House to continue the present dual system. I believe the Natives would support the proposal of the late Government, and would agree to registration. There is no proposal of this kind to come before the House this session, but when it does I shall take all the means in my power to have the matter considered in the interests of the European population. Those are the points to which I wished to address myself. I am sorry I have trespassed so long upon the time of the House: still I think the House will admit that, as one of the late Government, it was but fair that I should put on record what we had done in regard to Native matters, and I hope that I have done so without unduly taking advantage of the privileges of the House. I think it is fair to say, also, that the manner in which the Native Minister has put the proposals of the Government before the House is highly creditable to him; but I must repeat, in conclusion, that he should, when making his statement, have told the House that the policy of the Government was, with the two or three exceptions I have referred to, the policy of the late Government.

Mr. SUTTON.—Sir, speaking simply to the question before the House, I must say I can see no reason why the operation of the Maori Real Estate Management Bill should be confined to Government purchases. I think there is sufficient protection in the Bill to secure that private purchasers will not get undue advantages any more than if they were purchasing from parents. The purchasers will not deal with the Natives, but will deal with the trustees. The

transaction will be investigated by a Judge of the Native Land Court, and the machinery is such that justice must be done. I fail to see that there is any reason for not making the operation of the Bill general. I altogether object to clause 9 of the Bill, and would specially draw the attention of honorable members to the first three lines, which would appear to legalize possibly improper transactions. It says, "All payments made by or on behalf of Her Majesty on account of any such purchase of real estate or any interest therein before the passing of this Act, shall be deemed to have been lawfully made." That appears to be a very improper provision, and I shall oppose it, although I shall support the second reading of the Bill.

Mr. SHEEHAN.—It would be discourteous not to reply to the criticism by the honorable member for Clive of the Native policy of the Government, because I recognize that he is entitled to speak with authority on the subject, and I must admit that his speech was very fair and temperate. The bulk of the honorable gentleman's speech, however, seemed to be made up of admissions of the fact that our policy was satisfactory, tempered, of course, by assertions that in all respects, except a few, it was borrowed from our predecessors. On two or three points we were at variance with the late Government, and one of these was with regard to the Native Land Sales Suspension Bill. I must say that on that point the honorable gentleman was not so clear as usual. In fact, he was hazy, because he told us, in the first place, that the Native Land Bill of the honorable member for the Waikato was the best possible solution of the Native land difficulty, while, in the next breath, he told us he approved of the Native Land Sales Suspension Bill, the policy of which was in a totally different direction. One course or the other must have been wrong. Either the Native Land Bill, which gave power to deal with Native land, was wrong, or the Native Land Sales Suspension Bill, which proposed to go in the opposite direction, was wrong. But it is not worth while now to discuss which course was right or proper. It is better that we should wait till next year, when a Bill of a more important character will be brought down; but I may say, with regard to the first Bill, that its defect was very fairly pointed out when it was under discussion. It was shown that it gave a dangerous right to pass Native land through the Native Land Court without any restriction whatever. With regard to the second Bill, I say that, had it been passed, despite the opinion of the honorable member for the Northern Maori District, it would have led to a disturbance. The honorable gentleman says that in dealing with that question I was going into details, but I will lay down two principles which underlie our whole policy with regard to Native land, and which, if fairly carried out, will accomplish the great object we have in view—the prevention of disturbances with the Native people in future. The first principle is this: that in determining the question of title the most competent persons for the purpose are the leading men amongst the Native people themselves. The

Mr. Sutton

great point in questions of the kind is to ascertain what is a Native custom, and they are the best persons to say what is a Native custom. The second point—and to this the honorable gentleman did not refer—is one in respect of which this Ministry can certainly claim the idea of novelty. It is that we propose that in all these transactions not one single person, from the Minister downwards, shall be allowed to interfere in acquiring Native land. If that principle is properly enforced it will do more to inspire the Native people with confidence in the Land Purchase Department than anything else that the House could possibly do, and the moral effect will be that, whereas now both parties are looked on with distrust in the Native Land Court, they will be looked on in the future with confidence. At the present time the Natives have no confidence in the Land Purchase Department, because for years past it has simply been a means of getting land for the Government on any terms whatever, and too many of the Land Purchase Agents have been mixed up in private transactions. The honorable gentleman has again referred, in, I must say, not the fairest terms, to the policy of his predecessor; but I want him to understand, and I want the House to understand, that it has been my special endeavour, in dealing with this question, to say all that I possibly could in favour of my predecessor in office, and to scrupulously abstain from referring to matters which have no bearing upon the present position, or which might possibly give offence to others. The House, I think, will agree that that was the wisest course to adopt. There was no occasion to refer to the differences of the past; and, even if I were right in regard to any of these matters, I could afford to leave unsaid what I might have said, because we are now building up a policy, and there is nothing to gain by "jumping" upon our predecessors. But I will say this, with regard to our proposal to abstain from land purchasing: that the policy is ours, and cannot be claimed by anybody else. The honorable member for the Waikato, when he introduced his Bill last session, stated plainly that he made that proposal as a concession to the opposite side; and the honorable gentleman cannot now say that we have stolen a policy which his colleague admitted having taken from us. I quite admit that it was an oversight on my part not to state that I considered the administration of the department under the honorable gentleman to have been of a more satisfactory character than it has been for some years past. In saying that, I wish to throw no aspersion on Sir Donald McLean. When Sir Donald McLean was Land Purchase Commissioner he had nothing else to do, and his work was well done; but when he was called upon to take up this policy his hands were full of work, and he had to leave the land-purchase arrangements to other people. He was not able to give the time to supervise the arrangements, and consequently they were not so satisfactorily conducted as they were when his personal influence was brought to bear upon them. The honorable gentleman says he intended to do all these things, but what I wish to point out is, that if he had

these intentions, if this was his policy, it remained shut up in his own breast. I ask him to point to any speech he has made this session or last session, or to show us any passage in his Public Works Statement, which indicates that he had in his mind a systematic policy such as we have devised. He cannot do so. It may have been that he was prepared to drop the system of purchase by commission, but I say for myself and on behalf of my colleagues that not one single paper laid before us by the officers of the department led us to believe that that scheme was in contemplation. How was I to know that the honorable gentleman had been in communication with Mr. Mackay? There was no paper before us to show it. The fact is, that the conclusion to retire from purchase on commission was come to by us in Cabinet upon our own motion, and without any suggestion from our predecessors. If the honorable gentleman had any such intention I am glad to hear it, but at the same time I say that we have not borrowed it from him; and so far I suppose it must be regarded as a coincidence of great minds. Sir, I deny that I have in any one single instance departed from the opinions on Native matters which I have expressed in this House since 1872. I have always spoken against the abandonment of the pre-emptive right by the Crown. In that I agree with Sir Donald McLean. I have never joined in the cry that we should always have Native disturbances. I have always said that the policy of peace and progress was the correct policy, and so far as I was able, as a member of the House, I have advocated that policy. And if it did happen that that was carried out by Sir Donald McLean, and if I stick to it now, and to the opinions previously expressed by me, I cannot be charged with stealing a policy. When I said that the Native land purchases were not of a reproductive character I made no reference to the value of the land that was bought, because I have always held the opinion that, as a matter of policy, it was worth while to buy bad land if it would have the effect of maintaining peace and of obliterating the operation of the Native laws and Native customs. And, speaking with reference to this point, I say that, while we have spent all this money, while we have these returns specifying this expenditure, the returns were not true, the purchases were not completed, and that, as a matter of fact, if we attempted to carry them out we should find that the point would still have to be settled. I understood that my honorable friend meant to point out especially in his speech that in all substantial points our policy was borrowed from our predecessors. Now, I ask the House to say fairly if he has justified that assertion. I say he has not. He has, indeed, told us what he was doing in his departmental capacity, but he has not pointed out any official act of his in this House, or any act of the late Government, which would entitle him to say that the principles laid down by us were the principles which he intended to carry out. Now, I will put two questions: Was their policy contained in the Native Land Bill, or was their policy contained in the Native Land Sales Suspension Bill? If it was, which was it? Because

the policies of those two Bills were as wide as the poles asunder. If they had any policy at all, it was a policy of expediency. They were simply groping in the dark, to avoid the possibility of a hostile vote, and in the course of twenty-four hours they reversed all their former views in order to avoid a defeat. I listened with interest to the honorable gentleman's explanation in regard to the leases in the Taupo country. I do not say that explanation is not absolutely correct, but I will point out to the honorable gentleman that I made a statement to the House, which was absolutely correct, that of the whole of the leasehold lands not one single acre was in a position to be dealt with by the Government. I had no information, the House had no information, that those leases were made for political purposes. All we have known about them heretofore is that they have been shown as valuable assets in returns placed before this House. If we had been told that these leases were made for political purposes, that would have been a different matter. I admit that it is desirable to obtain leases of large blocks of country in order to pave the way to the settlement of the Island. It is not the intention of the Government to give up this land. We will stand by the arrangement and complete it, even though the country may be perfectly worthless. The honorable gentleman says he cannot agree to our proposals with regard to these unsettled blocks. The proposals made by us are, to my mind, the only solution of the question. If honorable gentlemen on the other side of the House think my proposal was to give the land back to the people who had sold it and received the money, because the arrangement was incomplete, they are mistaken. My proposal was made to cover cases of this kind—cases where a block of land, say, of 50,000 acres, was owned by fifty people: if forty people had signed and taken the money, I say, let those forty complete the transaction. You cannot compel the ten people who have not signed to complete the transaction. By no known law can you make those people sign. What I proposed was this: that we should say to these forty people, "Find out what your interest is, give us a good title to your portion of the land, and we will pay you for it." I think the House will see from what I have said to-night that there is no intention on our part to sacrifice the public interest. We will keep to these blocks, and, if any persons connected with our departments should lend themselves to any attempt to supplant the Government in these negotiations, they will be granted very scant grace at our hands. With regard to the allocation of the Land Fund for the completion of these purchases, I may say at once that the honorable gentleman has misunderstood what our intention is. We shall be compelled to trespass upon the Land Fund of Auckland to a greater extent than we should do, but I hope we shall be able to put that right next year. Every provincial district has a right to expect that it will receive all it is entitled to from the Land Fund. Now, Sir, a special point made by the honorable gentleman, and to which I object, is this: He appears to think there will be no



chance of carrying out a policy which, while it will promote the conversion of the Native title into Crown grants, will prevent undue speculation and open the way to settlement. I have no hesitation in saying that we can accomplish all these three things by having a good Native Land Act, and by having the Native Department standing on its own account. We believe that if our proposals are carried out the country will be cut up into small blocks for settlement, and the pastoral blocks will be disposed of more profitably. Of course it is not intended that all land shall be dealt with in the same manner—that the inferior land shall be dealt with in exactly the same manner as the superior. I hope we shall, as sensible men, encourage people to occupy all our land. Rather than see the inferior land unoccupied, I would let it in large blocks to sheep-farmers, for it is better to have it occupied by sheep than not used at all. The honorable gentleman has said that he objected to our having the power to interfere with Native Land Courts established under the Act of 1873. But he seems to forget that he and the party to which he belongs have had that power ever since 1873, and they used it for the purposes of Government. We do not intend to use it for the purposes of Government, but we intend to leave it *in statu quo* until we have a sound policy in connection with Native lands. The honorable gentleman has referred to the question of Native representation, and he said that I had not put fairly before the House the views of the honorable member for the Waikato on the subject. I say that I have put Mr. Whitaker's views fairly before the House. That gentleman proposes to increase Native representation on a special basis, and to do away with the power of the Maoris to vote for European members of this House. Now, for my part I do not believe that the presence of fourteen Natives in the House would be conducive to good government, for they would be able to place a Government in power or to oust it when they thought proper. I should not give them that power until they have risen in the scale of civilization. The honorable gentleman has said that I have not been distinct in my statements regarding the proposals in reference to the Native Land Bill; but it is impossible for me to give him details now of a measure which is to be brought forward next session. I have, however, stated the salient points of it. I have said that one of its principal provisions will be the conversion of the Native titles. It has been said that I got this idea from the honorable member for the East Coast and the honorable member for Marsden. I say I did not get that idea from those gentlemen at all. They may have referred to it recently, but my experience of eight or nine years in dealing with the Native titles taught me that it would be a good thing. I may remark, by the way, that it is creditable to both those honorable gentlemen that they have come to the same opinion as myself on the subject. I am reminded by my honorable friend (Mr. Macandrew) that this very point was a subject of conversation between us before I came up to the House this session. But, Sir, I say that this is not the proper

Mr. Sheehan

time to go into the details of a Bill which is not to be introduced until next session. The honorable member for Egmont once asked for three weeks to enable him to ascertain the Native mind in regard to a Bill which affected them, and I presume that he ascertained what the Native mind was; but I do not know how he did it—perhaps it was by spiritual agency. I can see my way, with the assistance of my colleagues and some other honorable gentlemen, to prepare a Bill which I believe will meet with universal approval at the hands of the Native people; but it cannot be brought down until next session. We shall have the Bill printed and circulated long before the House meets next year, so that its provisions will be well known, and we shall not be accused of introducing important measures at the close of the session. I do not wish to take up the time of the House longer. I have spoken my mind, and the honorable member for Clive has spoken his mind, and I will admit that his speech was a calm and temperate one. That honorable gentleman, however, made an attempt to prove that we had stolen the clothes of the late Government, but, as far as I can see, the late Government never had any clothes while they were in office. In conclusion, I may say, Sir, that, so far as we are concerned, our policy will be a policy of absolute peace. We desire, if possible, to enable the Public Works policy to be carried out to as great an extent as that can be done without running the risk of a Native outbreak, and therefore we will be as patient as our predecessors have been. Only on the occurrence of a crisis would we for a moment think of imperilling the peace of the country. I believe that if our proposals are carried out a good deal of the ill-feeling which has existed in the minds of the Native people for years past will be removed. I know that nearly all our past difficulties have arisen owing to the manner in which the land purchases have been carried out during the past few years. If you show a disposition to befriend the Natives and to teach them to be provident with the proceeds of their land, you will go a long way to secure their confidence. What we have to anticipate is this: that by the process of conversion of Native title we may have, in the course of a few years, a number of land-sharks in the possession of the Native land; but if the process goes on fairly and moderately, if you induce the Natives to part with their land, land which is of no use to them at the present time, you will lead to the proper settlement of the colony. If you endeavour to teach them—it may be a troublesome task—habits of providence, and get them to invest the money they acquire from the sales of their land, I believe they will witness the transference of their lands into the hands of the Europeans with satisfaction, and with a conviction that they have been fairly dealt with. It is a saying current among the Natives that women and land are the causes of all evil. Well, women have been the cause of evil from time immemorial, but there is no doubt that in these Islands the land question is the question which causes most trouble to the Natives. Land is the subject of all their meetings, and if

you look into their petitions, which come up to this House by hundreds, you will find that they relate to land. I say, let us introduce a system which will work fairly for them; let us promote the settlement of the country, and at the same time secure fair-play for them in their dealings; let us teach them provident habits; let us show them that they will gain by being careful of the money they receive for their lands; let us do these things, and we shall settle the Native difficulty for ever. I shall not detain the House longer. I can only hope that we shall have a chance of giving effect to our proposals. I feel certain that, if we set ourselves to the task and produce the measure I have referred to, we shall not have the opposition even of gentlemen on the opposite side of the House, because, after all, the matter is too large a one to quarrel upon. There are gentlemen on the opposite side who know as much of this matter as I do, and who will be able to recognize that good effects are likely to follow our efforts. If we are to take up the question at all, we shall take it up during the recess, and, if we allow the principles which I have pointed out in my statement and in my reply to night, a Bill will be produced which will command the confidence of this House, and satisfy the requirements of both Europeans and Natives in this colony.

Bill read a second time.

The House adjourned at eleven o'clock p.m.

## LEGISLATIVE COUNCIL.

Wednesday, 28th November, 1877.

First Reading—Third Reading—Gore Railway Bridge—  
Taranaki Smelting Works Bill—Food and Drugs Bill—  
Crown Redress Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

### FIRST READING.

Law Practitioners Bill.

### THIRD READING.

District Railways Bill.

### GORE RAILWAY BRIDGE.

The Hon. Mr. MENZIES asked the Hon. Colonel Whitmore, Whether the Government propose to plank the centre of the railway bridge at Gore, so as to admit of horses being taken across thereon? Some three or four years ago, when the bridge across the Mataura was first constructed, the inhabitants on one side of the river found it extremely inconvenient to get access to the township on the other side, and they requested the Government to plank the side of the bridge, so as to allow a footway across. That was effected after some considerable delay, but a greater difficulty had since arisen: the change in the current of the water at the bridge had altered the channel of the river and spoilt the ford, so that when the river was high the people had to leave their horses and carts at the further

end of the bridge while they themselves crossed on foot to the township. The only alternative would be to build another bridge over the river, but he wished to ascertain whether the Government would agree to plank the centre of the railway bridge, so as to render it available for ordinary traffic. He had no doubt the matter had been considered by the engineers, and that the Colonial Secretary would be able to give him a reply.

The Hon. Colonel WHITMORE said instructions had already been issued to plank the bridge at Gore, so as to admit of ordinary traffic, and Mr. Conyers would do it with his own men, so as not to interfere with the railway traffic.

## TARANAKI SMELTING WORKS BILL.

### ADJOURNED DEBATE.

The Hon. Colonel WHITMORE said he had asked the Council to adjourn the previous debate on this Bill, in order to enable him to make inquiries, as it appeared to involve the question of public lands and public money. This question had been carefully examined by a Select Committee in another place, whose report was favourable to the Bill. The Government had accepted the measure, and no opposition on their part would be offered to it. The report of the Committee was to the effect that the company had not strictly complied with the terms of "The Taranaki Iron Smelting Works Lands Act, 1874," in not possessing an actual capital of £30,000, that being one of the conditions to be fulfilled before the company could become entitled to a Crown grant for 5,000 acres. But, taking into consideration the fact that the company had expended a large sum of money on plant, and paid £1,250 for the land in question, the Committee recommended that a grant should be issued for the land to the company when they had manufactured to the satisfaction of the Government 100 tons of marketable cast-iron from the Taranaki iron-sand. It was on the basis of that recommendation that this Bill was introduced. There was a *prima facie* case made out, which at first satisfied the Superintendent of the Province of Taranaki that the £30,000 had been actually subscribed. But it appeared that the small sum that was short—about £3,000 in paid-up shares—had been given in payment for a patent to smelt the iron-sand. But, as the interest in these paid-up shares was subsequently bought by the company, the shares were not issued, and it was considered that the necessary amount of capital had not been subscribed, and, therefore, that there had not been a *bond fide* compliance with the Act. The Government would make no objection to this proposal, on condition that the company really proved that it was a success by producing 100 tons of marketable iron. He apprehended that, if it did that, the colony would gain quite enough to repay it for conceding this little further payment on account.

The Hon. Mr. MANTELL did not think the information given by the honorable gentleman was entirely satisfactory. In the first place, he had not told them what the conditions were which were referred to in the 2nd clause of the

Bill as being those which possibly might not have been fully complied with by the company by the 1st January, 1879. So far as he remembered, the Act of 1874 was very carefully scrutinized by a Committee, and it was felt by the Council, when it gave its assent to the measure, that everything had been done which could in fairness be expected in favour of this Taranaki Company, which a great many members of the Council regarded as being a sham, and which, it now appeared, had been unable to raise the miserable amount necessary to start the undertaking. If the Council passed this Bill in its present shape it would be doing a very rash act, and one which it would hereafter see reason to regret. Considering the dearth of information on the subject, he would move, That the Bill be read a second time that day three months.

The Hon. Mr. HOLMES would be glad to afford the honorable member the information he desired. The first condition the company had to submit to was to select 5,000 acres of forest land; the next was to pay 5s. an acre for that land; another condition was that they should have an actual capital of £30,000; and they had also to expend £10,000 in the erection of furnaces and plant for the purpose of smelting the iron-sand. The company had selected the land; had paid the money for it; had spent not only £10,000, but, he believed, £18,000 in the attempt to smelt iron; and they had subscribed capital to the amount of £27,410, the balance between that sum and the required £30,000 having been paid in shares for the goodwill of a patent, and which transaction the company regarded as equivalent to the actual sale of shares. The company, therefore, considered that they had complied with the conditions in every particular. That was the position of the case. The £3,000 worth of shares had not been issued, but, having arranged about them for the smelting patent, the company considered the amount as capital subscribed. He did not see that the Bill was a very great advantage to the company. It merely gave them a year's grace to smelt the 100 tons of iron. His own impression was that it would be very undesirable to do it; but still the whole question came to this point: The Government must either give the land or return the money. They had received £1,250 for the land, and must either give the company a title to it, or return the money.

The Hon. Mr. CHAMBERLIN considered that it was not expedient to encourage this experiment any further. It had been tried in various places and for a number of years, without any good result whatever. More than that, he considered the whole thing a perfect farce—the picking up the sand and making it into bricks to be re-melted. There was not the slightest occasion for that double process, because Nature had provided an unlimited supply of this iron-sand in a much more favourable condition for manufacture than the bricks that were made for the purpose of smelting. From Kaipara southwards there were 200 miles of coast where this sand was here and there mixed up with a kind of rock formation. He had himself had experiments conducted with this rock by Messrs. Fraser

and Tinne, ironfounders, of Auckland, and they had been attended with the greatest success. They merely placed the stuff into a crucible without any flux whatever, and it melted very successfully, although a little dross was perceptible. He took some of it, without any dross, to a blacksmith, who manipulated it and made it into little bars of iron, which presented an excellent appearance. There was not the sign of a crack in the iron, and it was capable of being pulled out to almost any fineness. The blacksmith, who was an old man and who had been working at his trade since he was a boy, said it was the finest material he had ever touched in his life. Now, considering that the iron existed in a state of nature without requiring the trouble and expense of mixing it up in the form of bricks, it seemed a perfect farce that these smelting operations should continue any longer. They had had the opinion of Dr. Hector and other scientific men on the subject, and experiments had been tried on a large scale in other parts of the world, notably in Canada, where the sand existed in enormous quantities, and they had all failed. Such being the case, he could not see the necessity for continuing this farce any longer. He would support the amendment.

Question put, "That the word 'now,' proposed to be left out, stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	19
Noes	...	...	...	...	8
Majority for	...	...	...	...	11

#### AYES.

Mr. Buckley,	Mr. Paterson,
Mr. Edwards,	Mr. Peacock,
Captain Fraser,	Mr. Peter,
Dr. Grace,	Major Richmond, C.B.,
Mr. Hall,	Mr. Russell,
Mr. Holmes,	Colonel Whitmore,
Mr. Lahmann,	Mr. Wigley,
Mr. Menzies,	Mr. Williamson,
Mr. Miller,	Mr. Wilson.
Mr. Nurse,	

#### NOES.

Sir F. Dillon Bell,	Lieut.-Colonel Kenny,
Colonel Brett,	Mr. Mantell,
Mr. Chamberlin,	Mr. Pharasyn,
Mr. G. R. Johnson,	Dr. Pollen.

The amendment was consequently negatived, and the Bill read a second time, and considered in Committee.

#### IN COMMITTEE.

Clause 2.—Company entitled to grant of land on smelting one hundred tons of iron.

The Hon. Mr. PEACOCK moved, as an amendment, That the words "one hundred" be struck out, for the purpose of inserting the word "fifty" in lieu thereof.

Question put, "That the words proposed to be left out stand part of the clause;" upon which a division was called for, with the following result:—

Hon. Mr. Mantell

Ayes	...	...	...	10
Noes	...	...	...	12
Majority against...	...	...	...	2

## AYES.

Dr. Grace,	Mr. Pharazyn,
Lieut.-Colonel Kenny,	Dr. Pollen,
Mr. Lahmann,	Mr. Russell,
Mr. Nurse,	Colonel Whitmore,
Mr. Peter,	Mr. Wilson.

## NOES.

Sir F. Dillon Bell,	Mr. Mantell,
Mr. Buckley,	Mr. Menzies,
Mr. Chamberlin,	Mr. Miller,
Captain Fraser,	Mr. Paterson,
Mr. Hall,	Mr. Peacock,
Mr. Holmes,	Mr. Williamson.

The amendment was consequently agreed to, and the clause as amended passed.

The Bill was reported to the Council with amendments, and the third reading fixed for next sitting day.

## FOOD AND DRUGS BILL.

The Hon. Colonel WHITMORE, in moving the second reading of this Bill, said it was introduced because the Act of 1866 had been found to be practically inapplicable to all the circumstances that were likely to arise. It was founded on the English Act of 1872, which had been found to be a much more serviceable measure than the Act of 1875, under which, he believed, there had not yet been a single conviction. It was stated, with what truth he was not in a position to say, that adulteration in articles of food was exceedingly common in this country, and even more common in articles of drink. If this were true, it was clearly the duty of the Legislature to interfere, in order to protect the public health, and to repress that inordinate craving for liquor which was said to be the result of adulterated drink. Moreover, it was said that the effect of drink sold at some of the worst publichouses was practically to what was called "hocus" the unfortunate frequenters, and when they got into that state many further crimes were committed which would be avoided if they retained their senses. It was provided that there should be local officers to carry out the Act, and there were already Government analysts in the principal centres of population. Honorable gentlemen would find if they looked over the Bill that it very closely followed the English Act of 1872, and that the leading precautions adapted to the state of society in the colony were inserted. He thought he was right in saying that the Bill had been drawn up with the full sanction of Dr. Hector, who, he had been given to understand, had paid attention to the various provisions of the Act.

The Hon. Mr. MANTELL hoped the honorable gentleman would see his way, when in Committee, to erase the 17th clause. He did not see why they should hamper their Acts more than was necessary by a provision that they should

only come into operation piecemeal throughout the country. It would be better to at once make the application of the Bill general.

The Hon. Mr. MENZIES said that, in looking over the Bill, it did not appear to him that any noticeable advantage was to be gained by the alteration of the law of 1866. He observed that in several points the Bill differed from the Act of 1866, but he did not know that in every respect those alterations were advantageous. He confessed that he had hardly had time to devote sufficient attention to a consideration of the provisions of this Bill, but, so far as he had observed, the chief advantage to be gained was in having a local officer whose special duty it would be to inquire into such cases. Under the existing Act that duty was not the duty of any particular officer, and any person might take the necessary steps. But, as they knew from the old proverb, what was everybody's business really became the business of no one. Under the Bill the duty would be discharged by Inspectors specially told off. In one respect he thought the Bill was not an improvement—there was no provision for publishing the names of those who transgressed. In the Act of 1866 it was provided that the Justices might publish the names of offenders. That seemed to him a very good clause indeed. The certainty of being gibbeted in this way would no doubt have a strong deterring effect. There were some points in which the Bill might be improved in Committee. Under the existing Act the purchaser had to prove that the vendor had notice of his intention to get the substances analyzed. He thought there should be some provision whereby the samples to be taken should be sealed in the presence of the vendor, and that notice should be given to the latter that the samples were to be analyzed. Unless that were done a doubt must necessarily exist as to whether the samples analyzed were the same as those bought.

The Hon. Mr. HALL was very glad that this Bill had been introduced. It was a subject of the greatest importance, and, so far as he was able to form an opinion of the Bill, it seemed to be an improvement upon the existing law. It appeared to be taken almost entirely from the English Act of 1872, which had been found to work efficiently. The Hon. Mr. Menzies was under the impression that the Bill did not provide for the publication of the names of offenders. If the honorable gentleman would turn to the 5th clause he would find it was provided that—

"If any person so convicted shall afterwards commit the like offence, such Justices or Magistrate shall cause such offender's name, place of abode, and offence to be published, at the expense of such offender, in such newspaper or in such other manner as to the said Justices or Magistrate shall seem desirable."

He agreed with the Hon. Mr. Mantell that it would be better to erase clause 17. He thought the protection of the public from the adulteration of food and drink was so important that now, in the altered condition of the colony, when the Provincial Governments were no longer in being—the existence of which no doubt led to the

insertion of this clause in former Acts—this Bill should be made to apply all over the colony.

The Hon. Colonel WHITMORE would be inclined, in Committee, to adopt the Hon. Mr. Mantell's suggestion to erase clause 17.

Bill read a second time.

### CROWN REDRESS BILL.

This Bill was recommitted.

Clause 3.—What is a claim or demand.

The Hon. Colonel WHITMORE moved, That the following words be struck out: "Provided that no person shall be entitled by virtue of this Act to prosecute or enforce any claim against Her Majesty in the nature of an action for specific relief for the performance of, nor any action for damages for the breach of, any contract for the purchase of waste or other lands of the Crown."

Question put, "That the words proposed to be left out stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	15
Noes	...	...	...	...	12
Majority for	...	...	...	...	3

#### AYES.

Captain Baillic,	Mr. Miller,
Sir F. Dillon Bell,	Mr. Paterson,
Colonel Brett,	Mr. Peacock,
Mr. Buckley,	Mr. Peter,
Captain Fraser,	Mr. Pharazyn,
Mr. Hall,	Sir J. L. C. Richardson,
Mr. Lahmann,	Mr. Wigley.
Mr. Mantell,	

#### NOES.

Dr. Grace,	Mr. Nurse,
Mr. Hart,	Dr. Pollen,
Mr. Holmes,	Mr. Robinson,
Mr. G. R. Johnson,	Mr. Russell,
Lieut.-Colonel Kenny,	Colonel Whitmore,
Mr. Menzies,	Mr. Williamson.

The motion was consequently negatived, and the clause agreed to.

The Bill was reported to the Council, and the third reading fixed for next sitting day.

The Council adjourned at a quarter-past nine o'clock p.m.

## HOUSE OF REPRESENTATIVES.

Wednesday, 28th November, 1877.

First Readings—Second Readings—Third Readings—Harbour Boards—Agent-General—T. Thomson—Waipawa County—Wallace and Fiord Hospital—Aparima Bridge—Wallace and Fiord Hospital—Native Lands Frauds Prevention Act—Auckland Public Works—Employment of Females Bill—Waikato Port Bill—Maori Kaika Road—Catlin's River—Martin's Bay—Grey River Bridge—Forest Trees Planting Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

### FIRST READINGS.

Waste Lands Boards Bill, Government Native Land Purchases Bill.

Hon. Mr. Hall

### SECOND READINGS.

Wyndham Show-Ground Bill, Whangarei Port Bill, Foxton Reserves Bill.

### THIRD READINGS.

Nelson Rifle Prize Bill, Gisborne Harbour Bill, Taranaki Roads and Bridges Bill.

### HARBOUR BOARDS.

Mr. RICHARDSON asked the Minister for Public Works, What arrangements exist for the payment to Harbour Boards of moneys collected by the Railway Department for them; also, whether the authorities at Wellington, or the local officers, are responsible for the delays that now take place in the payment of such moneys? The Bluff Harbour Board and the Lyttelton Harbour Board were particularly interested in the answer which would be given by the Government to this question, because the Harbour Boards of those two places had entered into arrangements with the Railway Department of the Government to collect the wharfage dues and hand them over regularly to the Harbour Boards; but for some ten weeks past the money had not been handed over to the proper owners. A great deal of inconvenience had been caused thereby. His desire was that the Government should ascertain whose fault it was that the money had not been handed over.

Mr. SHEEHAN said the arrangement at present existing was that the accounts were summarized in the railway accounts as part of the traffic accounts, and the money had to be transmitted to Wellington. The local officers were responsible for any delay that took place in the payment of the moneys. The whole matter was now under the consideration of the Minister for Public Works.

### AGENT-GENERAL.

Dr. HENRY asked the Premier, If it is the intention of the Government to retain the services of Sir Julius Vogel as Agent-General for the colony? He asked this question because it had been reported that another gentleman was to be appointed to the office of Agent-General. Sir Julius Vogel had rendered great services to the colony, and he knew that it was the opinion of a large number of honorable members that if it was convenient to Sir Julius Vogel to retain the office it would be advantageous to the colony that he should do so.

Sir G. GREY replied that the Government had not yet come to a decision with regard to a single fact relating to the future of the Agency. Therefore he could not give the honorable gentleman the information asked for.

### T. THOMSON.

Mr. WOOD asked the Government, What steps they intend taking in reference to the petition of Thomas Thomson, whose services as Harbourmaster at the Bluff have been dispensed with by the Government?

Sir G. GREY replied that there were several other harbourmasters who were similarly situated. The whole of their cases were now under the

consideration of the Government, but it had not yet been decided what steps should be taken with regard to them. As soon as any decision was arrived at he would inform the House.

#### WAIPAWA COUNTY.

Mr. REES asked the Government, If they will lay before this House the original *Gazette* proclaiming the divisions of the County of Waipawa and the representation of the different ridings of the said county, together with a copy of all correspondence on the subject of any changes of such representation or of boundaries of such ridings, with any minutes relating to such changes? He explained that what he required was the original copy of the *Gazette* in question.

Sir G. GREY replied that he had a copy of the original *Gazette* in his hand, and he would now lay it on the table, with a copy of the telegram asked for.

#### WALLACE AND FIORD HOSPITAL.

On the motion of Mr. HODGKINSON, it was ordered, That the Government be requested to bring in a Bill next session to legally empower the transfer of the Wallace and Fiord Counties Hospital and grounds to the Hospital Trustees.

#### APARIMA BRIDGE.

Mr. HODGKINSON moved, That this House will, on next private members' day, resolve itself into a Committee of the Whole, to consider of an address to His Excellency the Governor, requesting him to cause to be placed on the Supplementary Estimates a sum sufficient for the erection of a bridge suitable for heavy traffic on the Aparima River at or near Collie's Ford.

Mr. REID said he did not intend to oppose the motion, but he thought that it would be exceedingly desirable if some plan were devised whereby these motions should not come before the House. As the country was at present in a transition state between the old form of government and the new system of government, he would be prepared to allow motions of this sort to pass; but otherwise he would not approve of them. They were not motions that ought to come before this House. When motions of this sort were dealt with by the House other honorable members were compelled to bring forward similar motions, to meet the requirements of their respective districts. He hoped some plan would be devised whereby the construction of roads and bridges would be thrown upon the various sections of the colony, subject to some fixed uniform rule on which assistance might be given by the Government, so that they would not be brought before the House. He quite admitted that, in the present transition state, if there was anything to be done, this was the time in which they should clear up past inequalities and past actions whereby some districts had not had a fair share of the ordinary revenue given to them, and which under the old system would have been able to get some of these works carried out. This was a very appropriate time in which, as it were, to balance

the account, so that every district should be placed on a fair footing. Some fixed rule should be adopted by the Government to deal with these cases, so that they would not require separate appropriations by the House. He could approve of this motion, as the bridge referred to was, he believed, a very necessary work, and one which he hoped would be carried out in due course.

Mr. SHEEHAN quite agreed with the suggestions thrown out by the honorable member for the Taieri, but at the same time there was no other course for honorable gentlemen to adopt than that which was now being followed. They must not forget that this was one of the effects of the carrying out of the Abolition policy. They were likely to hear more of these questions than they had ever before heard in the House, and the Assembly would have to consider matters which formerly were dealt with by the Provincial Councils. No doubt they would have to deal with many motions which might be considered fancy motions. Some of them would be genuine, but others would be of a fancy character. By this system honorable members were encouraged to bring forward some scheme on behalf of their districts with the view of putting themselves right before their constituents. He admitted that this was a very great evil, and it arose from this cause: In carrying out the abolition of the provinces they did not consider their real financial position, and they imposed on the counties burdens which the counties could not possibly bear. It would be impossible for the counties to carry out the works put upon them, and there should be some scheme whereby the counties would be assisted to make main roads and bridges throughout the country. It was the intention of the Government, within a reasonable time, to bring down such a scheme to the House. There was but one other alternative—namely, the establishment of a thoroughly good Public Works Committee before which every one of these motions would come. A Committee of that character could take evidence upon the various proposed works and he believed the Committee would be conservative enough to set their faces against anything like jobs, or executing unnecessary works. Honorable members must either make up their minds to supplement the funds of the counties to enable them to undertake the construction of main roads and bridges throughout the country, or there must be some buffer between the House and the Government whereby these matters could be gone into properly, and such action taken upon them as would enable the House and the Government to come to a conclusion upon the merits of particular claims. He would say at once that what they had now seen was the outcome of Abolition. They had been explicitly told that such a state of things would not be the result of Abolition. They were told that when Abolition was carried out the Assembly would rise to its proper position and become a great colonial Parliament, which would discuss only great State affairs—that such matters as this would only be heard of in the local bodies, and would be discussed by them only. It appeared, however, that this Assembly had

become one vast County Council, dealing with parish business, determining questions of making roads and bridges over the whole country. That was a state of things which should not continue to exist, and, so far as the Government were concerned, it would be their duty next session to invite the House to consider this whole question on some definite plan.

Sir R. DOUGLAS said this was not the outcome of Abolition, but the result of that policy not having been properly carried out. If the late Government had been allowed to carry out that policy they would have been in a different position. From the action of the present Government and of their supporters, the people of the country were led to believe that this state of things was the outcome of Abolition, whereas it was not. If this House had honestly set to work and properly carried out Abolition, they would not have been in this position. The County Councils had not the money put to their credit to make roads and bridges; they were continually making applications for it, and could not get it. That was the outcome of the obstructive policy which had prevented Abolition from being carried out thoroughly.

Mr. SUTTON agreed with the remarks made by the honorable member for Marsden. He thought that questions of roads and bridges coming before them in the way they did was not attributable to Abolition, but to the action of honorable gentlemen last session, who had prevented the Act being carried in a workable manner. They succeeded in tying the Counties Act down so that it could not do what it was intended to do. That was the result of the action of the honorable gentlemen on those benches and their supporters. He read in *Hansard* the debate on the Counties Act, and the speeches of the honorable gentleman at the head of the Government were in that direction, and he believed, also, the speeches of the honorable member for Dunedin City. He thought it would be admitted on all sides that last year there was a disposition on the part of a great many members of this House to make the Abolition Act as ineffectual as possible. Honorable members on the Government benches were parties to that, and it did not become them to attribute the present state of things to Abolition. It was not the result of Abolition at all; and what they ought to have done last session, and this session, was to have obtained a workable measure by which the local bodies could have done the local work. Until that was done they could not get on very well with the government of the country.

Mr. BARFF said the honorable gentleman who had just sat down was not in the House last session, or, if he was, he had a very small recollection of what had taken place, as he had stated exactly the contrary of the fact. The fact was that those who were opposed to the late Government assisted them last year to get their measures passed in such a form as to prevent them from being absolutely ruinous. The late Government brought down their general colonial measures in such a form before the House that, had they not been amended on the suggestions

of members of the Opposition, those measures would have broken down forthwith. Although he gave a general support to the Government during last session, he did it in this way: He was pledged to support the policy which the late Government went to the country upon during the last general election; but he was not pledged to support them in all the ridiculous blunders which they afterwards committed. He remained faithful to his trust—to the charge committed to him by his constituents. He supported the policy of Abolition; but he did not agree with the policy which was initiated and carried out by those who he believed at the time should have been their leaders. The simple fact was that the late Administration, when the last session of Parliament commenced, had too large a majority, and thought they could afford to laugh at friendly suggestions—that they could afford to turn a deaf ear to any hint which might be thrown out in the direction of improving their own measures. They were warned repeatedly by those on their own side of the House as to what the result of their conduct would be with regard to the Government measures, but they refused to accept friendly suggestions, and they forced their Bills through with the aid of their majority. He agreed to a great extent with the remarks made by the honorable member for the Taieri. The honorable member for Napier had stated that those who supported the present Government had attempted last session to make the measures of the then Government as ineffectual as possible, and observations of a similar nature were made by the honorable member for Marsden. Those who had supported Abolition had endeavoured to have a proper system of real local self-government introduced, but they had been deserted by those who should have assisted them, and he could not sit quietly and be told such things as had been stated by an honorable member who was not in the House at the time, and who was utterly ignorant of the facts upon which he was speaking. He denied the statement made by the honorable member for Napier (Mr. Sutton), and also several of the remarks made by the honorable member for Marsden. The serious blunders into which the House had been led were simply caused by the late Government feeling so proud of the majority they had got, that they refused all amendments to their measures, and wilfully carried them through, against the wishes of their supporters, in a form that rendered them useless.

Mr. SEYMOUR could not attribute the difficulty to the fact of Abolition having been carried. The real reason was, that the institutions which took the place of provincial institutions were not adapted to carry on the requirements of the country. Honorable gentlemen would remember that at first, under the Abolition system, the colony was divided into sixty odd different parts called counties, most of which were too small to carry out the works that were to be intrusted to them. A great deal of the difficulty arose from that cause. Then, again, when the Counties Bill was referred to the other branch of the Legislature it contained large borrowing powers, princi-

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pally for special works such as that referred to in the motion under discussion, and it would be remembered that those borrowing powers were taken out of the Bill, and by so much was the power of the counties to execute the works reduced. In consequence of that, to a very great extent, many of the counties refused to come under the operation of the Act, and to that fact the difficulty was attributable. He had not said much upon the subject previously, because the Minister for Public Works acknowledged the necessity for taking this matter into serious consideration; and it was therefore to be hoped that in another session a measure would be brought down by which this crying want of roads and bridges would be satisfied.

Mr. ROLLESTON was one of those who had steadily opposed the policy of Abolition, but he must say that at the time he did not foresee the full extent to which his anticipations would be realized. He foresaw that, as a matter of principle, it must lead up to the revolutionary change proposed by the present Government in the taking of the Land Fund. He foresaw, also, that the county system was a most ineffectual substitute for the provinces. He did not intend to go into the whole question as a matter of argument, but wished to say, on his own behalf and on the part of those with whom he acted, that they did nothing to obstruct the Counties Bill. Foreseeing, as they did, its ineffectual character, they did their best to make the most of it. There were no changes made in that Bill, except in small matters of detail, with which he had anything to do. He tried to get the number of counties made smaller and their size larger, believing that what the country required was some modification of Provincialism, or, as was indicated by the honorable member for the Taieri, a large Board of Works in each of the provincial districts. He believed that such Boards would naturally be connected with the land system of the district, and that the progress of works would go on simultaneously with the settlement of the land in the various districts. Holding that opinion, he, however, failed to get sufficient support to carry out some general scheme of the kind, though he made proposals to that effect in the House. Beyond that he did nothing, and those with whom he was acting did nothing, to oppose the Bill. The very proposal to make the Counties Act capable of being suspended came from a member of the late Ministry. He did not wish to enter into recriminations about the matter. The colony had got into a mess, and those who brought about Abolition were the very people who were, in the main, sitting still, not knowing which way to turn. He did not profess to see his way clearly out of the present difficulty, but this he might say: that he would not now, any more than he did with regard to the Counties Act, do anything that would increase the difficulty. His own belief was that the Assembly would have to retrace its steps—that the cry of the country would be, “We have made a false step; we have been utterly misled by this policy of yours.” The country had seen the change brought about by different sections acting

together with no common object, and the sooner they returned to a form of government under which the administration of material interests was left to the several districts, and the duty of the Assembly confined to legislation, the better.

Mr. STOUT found it somewhat refreshing to hear confessions of guilt, which seemed to be the feature of the afternoon. The position into which the colony would get had been foretold by the honorable member for the Taieri, in one of the best speeches that honorable gentleman had ever addressed to the House, when he pointed out that the result of Abolition would be to land the colony in the position in which it now was, and that the House of Representatives would be turned into a large Provincial Council. That such was the case was the fault of the Abolitionists, and of them alone. There was no member of the Provincial party who had thrown any difficulty in the way of the passage of the Counties Act, or who had made any material alterations in it. The alteration referred to by the honorable member for Napier (Mr. Sutton) was proposed by the honorable member for Clive, and that honorable gentleman afterwards mentioned at a public dinner that it was never intended that the Counties Act should come into general operation throughout the colony; and the result was that the most Abolitionist province in New Zealand would not have the Counties Act brought into force within its boundaries, and there was only one county in Canterbury which adopted the Counties Act, and that county thereupon abolished the Road Boards. Those honorable members who opposed the granting of a Board of Works to Otago in 1875, and again in the Counties Act in 1876, were Abolitionists, and they now saw the difficulty into which they had plunged the colony. (No.) Then what was all this talk about? If the colony was not in a mess, all that was necessary was to vote money for the main roads that were required. Perhaps that was what the Abolitionists thought would be the result—that the Parliament of New Zealand should be simply a Provincial Council, dealing with all parochial matters. All this proved the danger of upsetting institutions in the way in which the institutions of the colony had been upset, and the danger of allowing money considerations to interfere with the Constitution under which the people of a country were living. Abolition was, after all, only a question of money. The people of Christchurch were told that if there was Abolition they would have their license fees, and the result was that the people of Christchurch threw up their hats, and said, “Let us go in for Abolition—we shall have our license fees.” He hoped they liked it. Then the other people of Canterbury were told that under Abolition they would have that national life which they so much wanted. They had got it, and he hoped they liked it. He believed himself that the result would be that those who had cried out most for Abolition would before long cry out for Provincialism to return.

Mr. GISBOERNE would ask the Government to consider during the recess whether there should not be some remedy for these constant requests



to the House for roads and bridges—whether there should not be appointed Provincial District Boards of Works to take charge of these works, because there was no doubt that the counties could not carry out some large undertakings properly. He could not agree with the argument that the constitution of the counties and the power of suspending the Act were attributable to the Opposition of last year. He believed that the Act passed substantially as the Government proposed it. No doubt the borrowing powers were taken away, but honorable gentlemen must remember that the Provincial Councils had had no borrowing powers. If the counties had been made of the same size as the provincial districts no word would probably have been heard in the House about such public works as this. It would have been very much better that there should be some modification of the Provincial Councils in the shape of Boards of Works than that the House should be constantly considering these questions. The majority of honorable members knew nothing about these works, and if constructed under orders from a central office it was very likely that they would not be so well constructed, and that the expenditure would not be so economical, as if they were constructed by the local authorities.

Mr. McLEAN was amused to hear honorable gentlemen talking as if a great calamity had befallen the colony. Was it not by their action that the Counties Act was made permissive? The Government last year could never have carried that Bill unless it was made permissive, and were therefore forced to make it so. Then the borrowing powers which the Government proposed to give to the County Councils were struck out; and now they had the occupants of the Treasury benches completely upsetting the whole of the arrangements under the Counties Act, and taking an entirely different course from that laid down under the policy of Abolition. Money was provided, when the provinces were abolished, to make bridges, and the honorable member for Riverton was now going to throw away the funds which the Abolitionists had provided for the purpose of making these bridges. If the honorable gentleman had not agreed to the proposal to take away the Land Fund he would have had plenty of money for the purpose. He regretted to hear the honorable member for Dunedin City a few evenings ago make a most extraordinary misrepresentation as to what the land revenue in Otago would bring in next year. He gave the figures for the first quarter of the year, but he omitted to state that the license fees which were payable on the first day of the second quarter amounted to between £50,000 and £60,000. He also omitted to state, when he told the House that the Land Fund was so small last year, that nearly every acre declared open for sale was sold by the provincial authorities before Abolition took place. Any honorable member who knew anything about the Waste Land Regulations of Otago knew that the land had first to be declared into hundreds, then surveyed; and it took a considerable time to do all this. It was of no use now crying out that this was the

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effect of Abolition. If those honorable gentlemen had kept faith with the principles of Abolition the Province of Otago would have had plenty of money this year for the erection of these bridges. But if the honorable gentleman would insist on throwing this money into the colonial coffers he only had himself to blame. If the Land Fund had not been brought into this House there would have been none of this scrambling. The Minister of Justice suggested that this matter should be referred to a Public Works Committee; but the Government was too fond of throwing its duties upon Committees. They were all well aware how Committees managed these matters. One member who wanted a bridge built would eagerly beat up those members of Committee who were favourable to his interest, and the proposal was agreed to. He ventured to say that if these matters were to be left to Committees they would see a state of things of which the House had no conception. Of course he could quite understand the tactics of the old Provincialists. They wished to turn round now and say, "There you are! I told you what Abolition would do." But it was not Abolition that was to blame. If they had kept to the law as Abolition stood—

Mr. REYNOLDS.—Hear, hear. If you had kept to the law.

Mr. McLEAN.—If they had kept to the law it would not have been necessary to come to that House for funds for bridges. None of the provinces, except Canterbury and Otago, before Abolition, had the money to build these bridges, and they were compelled to come to the House for it, the only difference being that before Abolition they got it in large sums, and had now to get it in detail. They might just as well have given borrowing powers to the counties and left with them the responsibility of building these bridges, as it was intended after Abolition they should do.

Mr. MONTGOMERY said it seemed to him, from the utterances of certain honorable members, that Abolition was becoming unpopular. He voted for Abolition because he believed the finances of the country could never be placed upon a satisfactory footing until the provinces were abolished, and on that ground he would vote for it again tomorrow. When motions such as this were brought before the House he naturally asked himself where the money was to come from. It could not come from the consolidated revenue or from loan, and it appeared to him that it was the duty of the Government to resist all proposals of the kind. There could never be a proper system of finance until they had a Government sufficiently independent to resist these claims regardless of the consequences to themselves. Several honorable gentlemen said that, if the county system had not been permissive, plenty of money would be forthcoming; but it was in the power of those districts which had not brought the Counties Act into force to come under the Act whenever they pleased. But that was not the question. The question was, whether this money should come out of the colonial funds. He should like to know how the House could vote money for works in regard to which nobody but the honor-

able member who brought forward the motion had any knowledge. He could see only one remedy for this state of things. It was not to be done by making the counties larger or smaller. The only remedy was to refuse to allow the Government to borrow so much money. If the money for these purposes were not taken out of borrowed money there would be an end to proposals such as this, as it could not be taken out of ordinary revenue, because the ordinary revenue could not bear it. He thought the advocates of Abolition were rather shirking their duty. They had not stood up like men and given the opinions they gave so freely last year, when they were in a majority of two to one. He was not afraid to say that he voted for Abolition, but he hoped honorable members would not constantly fall back upon the provincial system in the belief that it had a capacity to furnish inexhaustible funds.

Mr. REYNOLDS regarded this not as a question of Abolition, but as a question of whether they had the money, and, as they had not, the best thing they could do would be to reject the whole of these motions. From a rough calculation he had made he found that the expenditure for the year would be between £230,000 and £240,000 beyond the estimated revenue. That being the case, what was the use of forcing the Government into heavy liabilities by passing such motions as this? The size of the counties had nothing whatever to do with this matter, although it was not to be denied that the late Government had not properly carried out the county system. No man could have committed greater blunders in introducing the system into Otago than did the honorable member for Waikouaiti. He would take no advice and would hear no argument, and the result was that the county system had become thoroughly unpopular.

Captain RUSSELL wished some honorable member would devise a scheme by which they would get rid of the whole of these motions. He remembered that when he was a member of the Hawke's Bay Provincial Council it was a common thing to have sums for all sorts of things placed on the Supplementary Estimates. The Superintendent, who sat in the Council, usually said he was glad to see that the members had such interest in their respective districts, that he recognized these works were absolutely necessary, but he pointed out that there was one drawback—there were no funds. As soon as the regular Estimates were through, the Superintendent would suggest that some honorable member should bring in a scheme of taxation by which sufficient money should be raised to meet the sums placed on the Supplementary Estimates. What was the position of affairs in this House? A number of these items were placed on the Supplementary Estimates, but the Government would select two or three items which it pleased them best to carry out, and in this choice no doubt they would be influenced by a desire to make wavering votes more certain, while the items placed on the Estimates by honorable members for whose votes it was not worth while to negotiate would be laid aside. He hoped that the scheme indicated by the Native Minister would be brought

in next year, and that it would be taken out of the power of any honorable member to procure the placing of sums on the Supplementary Estimates in respect of works to be done in his own district. He believed that the present system was absolutely injurious to the political life of the country, and that no honorable member should be allowed to introduce into this House a question of the expenditure of money for the benefit of his own particular district. Whilst that was allowed there was not the slightest chance of the growth of liberalism in this House. In most of the electorates—indeed, he might almost say in all of them—the principal question at times of elections was not so much what the political opinions of a candidate were, as the amount of influence which he might be supposed to be able to exercise upon the Government of the day. He represented one of the most intelligent constituencies in the colony; but he would say this: that when he was canvassing for his last election he found that there were far more questions asked as to the necessity for bridging this river or doing some work in the district than there were as to his political fitness to represent the constituency. He quite agreed, therefore, with the necessity for taking this power out of the hands of honorable members, so that they might have broad political questions in the House, and might hear less of individual efforts on behalf of particular districts. So long as social influences had such large power in determining the government of the country—and he was not saying that social influences had any more effect upon the present Government than upon any other Government, for he was speaking generally—so long would they continue to have men returned to the House on account of their social standing and position rather than because they represented certain political creeds.

Mr. REES said the statements made by one or two honorable members in relation to the passage of the Counties Bill required contradiction. Had the remark respecting the action of the Opposition last year come only from the honorable member for Napier (Mr. Sutton), he would not have contradicted it, because, as that honorable member was not in the House last session, he could not be supposed to know much as to what took place; but, when the honorable member for Marsden presumed to say the same thing, some little notice should be taken of the remark. He denied altogether that the Opposition had been obstructive. On the contrary, many of the members of the Opposition had done all they possibly could, and had used all sorts of arguments to the Ministry of the day, to induce them to accept modifications which would make the county system more workable than it gave promise of being in the shape in which the Bill came down. He might refer specially to the 52nd section of the Act. That provided that where the Counties Act was not brought into operation it should be the duty of the County Council simply to distribute the moneys to the Road Boards in the districts; but he (Mr. Rees) had pointed out that in some counties there were outlying districts which possessed no corporate bodies, and that, therefore,

there was nobody to whom the money could be paid. This was the case in the Marsden County. He urged that there should be persons appointed to receive and expend the money. That was the sort of thing he had urged, and that was what was called obstruction. He might quote the remarks of the honorable member for Hokitika (Mr. Barff), made on the third reading of the Counties Act, and at a time when he was a supporter of the Government: he said that the Opposition had endeavoured to do its duty. There were the honorable member for the Taieri, the honorable member for Avon, the honorable member for the Thames (Sir G. Grey), the honorable member for Dunedin City (Mr. Stout), and himself, and various other members of the Opposition, who endeavoured really and truly to do their duty and to make the Bill as workable a Bill as it could be made. It was not the Opposition of that day who were to blame for the unworkableness of the measure. Then the honorable member for Waikouaiti said it was the Opposition who made the Bill permissive. Why, the permissive clause was moved by his own colleague, the honorable member for Clive. No member of the Opposition mentioned anything about the Bill being made permissive before the Ministerial side proposed it. The honorable member for Clive was the originator of the idea.

Mr. McLEAN.—No.

Mr. REES would inquire, Who was, then? The honorable member for Waikouaiti shook his head and looked as wise as Solomon, but he would defy him to show a record of a single hint about making the Bill permissive till the honorable member for Clive moved it. When members of the Government party proposed that the Bill should be made permissive it was sheer nonsense for members of that party to get up and say that it was the fault of the Opposition. But, even so, the fact of the places which had opposed the Abolition policy endeavouring to make the Act work, while parts of the country, like Canterbury, which had clamoured for Abolition, had thrown it aside altogether, showed that the Bill had had a fair trial and had proved to be unworkable. But it was not the fault of the Opposition that it had been left in that state. They tried to make the best of a bad bargain. But the manner in which the Government had brought the Act into operation was quite sufficient to make it unpopular. He would illustrate the action of the late Government in this respect. He had asked for some papers that afternoon in reference to the County of Waipawa, and he now held them in his hand. What did they show? The 59th section of the Counties Act provided that the Governor should, by Proclamation, determine the number of Councillors to be elected by each riding. Well, the Governor did so in the case of the Waipawa County. On the 28th of November last year he appointed the boundaries of the different ridings and fixed the number of members to each. The Proclamation was issued on the 28th November, and that declaration absolutely became law. But the honorable member for Clive (Mr. Ormond), on the 1st December, three days after the Procla-

mation had been issued, and after the Governor's powers were exhausted, telegraphed from Napier that the boundaries and numbers of members might be altered; and, absolutely, the Executive got the number of Councillors for the riding of Waipukurau altered from two to one. That clearly was an illegal act. That was done on the 7th December.

Mr. GISBORNE.—By Proclamation?

Mr. REES.—No. The Proclamation was simply altered after the power of the Governor had been exhausted. The Ministry had absolutely advised the Governor to do an illegal act.

Hon. MEMBERS.—A printer's error.

Mr. REES said that was as bad as the Bills left behind by the late Government, but which, the House was now told, has never been seen by the Government.

Mr. SPEAKER said the honorable member was out of order in referring to what had taken place in a previous debate.

Mr. REES would not transgress. There was no printer's error. The Proclamation was absolutely altered.

Mr. GISBORNE.—In the original?

Mr. REES.—Yes. There is the letter "N." written against the alteration in the *Gazette*.

Mr. GISBORNE.—But in the original manuscript?

Mr. REES did not know. He had not seen that. All he saw was that the honorable member for Clive asked that the Proclamation might be altered, and that, doubtless to serve some purpose, it was altered, and initiated by the Governor. That was an illegal act, although the House could not be surprised at illegal acts on the part of the late Government. That was the way in which the law had been carried into effect. If such acts as that were allowed, the door would be opened to all sorts of illegal dealing. He had, on the third reading of the Counties Bill, pointed out some of its defects, but, as he was accused of wasting the time of the House and talking against time, he gave the thing up. He would most emphatically deny that he, or those with whom he was acting, were doing anything but that which they thought was for the benefit of the people. The county system was not a proper substitute for Provincialism, and he believed that the colony was now in a very serious constitutional mess in connection with the system of local self-government. The fact was that before the Counties Act came into operation things went on very easily, but now they had begun to see the defects of the new system, and to see what they had lost. Owing to the existence of the county system every district in the colony had now to come to the House of Representatives for money wherewith to build bridges and make roads, for the simple reason that the counties had not the funds to pay for those works. The honorable member for Waikouaiti had said that the borrowing powers had been struck out of the Bill; but who struck them out? Not the Opposition. It was the Legislative Council that struck out the borrowing powers, and he was glad they had done so, for if the counties had been permitted to borrow they would have been overwhelmed with

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difficulties in a very short time. He did not object to the districts coming to the House and asking for money to do these works, and, as a matter of fact, they would have to do so until there was some intermediate body between the counties and the Government. The provinces had always looked after such works until they were robbed of their rights. The country was now feeling the effects of the legislation of last year and the year before, and he believed it would feel them in even a greater degree than at present. He was of opinion that the results of the reckless expenditure which had been going on in the colony since 1870 would be felt very much in years to come. He believed that a broader system of taxation would have to be entered upon, and even then he thought that, to meet the demands of the public creditor and of the people in regard to the opening up of the country, there would have to be considerable retrenchment exercised—even with the aid of the Land Fund and an income and property tax. He found that his very worst anticipations had been not only realized but exceeded. If the honorable gentleman who moved the motion could show the Government that the work for which the money was asked was a necessary one, and one which could not be performed by the local body, he hoped the Government and the House would agree to the motion.

Mr. WASON said that both the honorable gentleman who had just sat down and the honorable member for Dunedin City (Mr. Stout) had pointedly alluded to the case of the Canterbury Provincial District. They had said that the Counties Act had not been brought into operation in Canterbury. That was correct, because the Act had only been brought into force in one district in Canterbury—namely, the District of Waimate. The reason why the Act had not been generally adopted in Canterbury was, that it had not been required. The people had not yet felt the want of it; but he believed that they would do so shortly, and that the Act would soon be brought into operation in every district in Canterbury. In fact, he believed that meetings had recently been called to consider the question. A meeting was lately held on the subject in the County of Geraldine. He would point out that when the question of Abolition and Provincialism was before the country the county system was not spoken of, and the people believed that a modified system of Provincialism, in the shape of Road Boards with extended powers, would take the place of Provincialism. He was of opinion that if such a system had been proposed last year it would have been adopted by the House. The honorable member for Avon had told the House that he advocated the constitution of two Boards of Works in Canterbury to take the place of Provincialism. He (Mr. Wason) took exception to that statement of the honorable gentleman. The honorable gentleman had further stated that the country was in a mess because the Land Fund had been taken, but he had not shown the House that such was the case. The honorable member for Avon had never moved in the House as he now would make them believe, and if he had

done so it was probable that he would have received the support of the Canterbury members.

Mr. ROLLESTON would like to explain that a meeting of the Canterbury members was held to consider the subject, and at that meeting he clearly stated his views; but he failed to get their support.

Mr. WASON knew that if the honorable gentleman had stated that he wished to constitute Boards of Works in Canterbury to take the place of the provincial institutions he would have been supported by several Canterbury members. The honorable member for Akaroa and the honorable member for Timaru would both have given him their support, and he believed the honorable members who came from the south of the Rangitata would have done the same: in fact, he believed nearly every member who came from Canterbury would have backed up the honorable member for Avon if he had proposed to establish two Boards of Works in Canterbury. He (Mr. Wason) would gladly have done so. If his memory served him there was a considerable sprinkling of members from another place at the meeting referred to by the honorable member for Avon; but, as the meeting was presumed to be of a private nature, he would say no more about it. He believed that the people of both Canterbury and Otago would have preferred to have two Boards of Works substituted for the Provincial Governments, but he was certain that that was now impossible, because the people of Waimate would not consent to be amalgamated with the District of Geraldine, nor the people of Ashburton with the District of Selwyn. Those people had now tasted the sweets of local government, and he was satisfied that they would not part with what they had got. A meeting had very recently been held at Ashburton, and one of the results of that meeting was that he had presented a petition to the Government praying that the boundaries of the county might not be altered, and he believed that if the Government attempted to alter the boundaries, except on the petition of the people, they would find themselves in a serious difficulty. He hoped that in time the counties would act as intermediate bodies between the House and the people. The idea of the late Government at one time was that there should be three counties in Canterbury, larger ones than now existed, and the greater number was forced upon them by the House. It would no doubt have been a sort of compromise, but not a satisfactory one. With reference to the accusation made by the honorable member for Auckland City East against the honorable member for Marsden, he did not hear the honorable member for Marsden charge any honorable members of the House with obstructing the Counties Bill. His charge was that honorable members had been instrumental in not bringing the Counties Act into force. If the Counties Act had been forced upon the people hurriedly they would have become disgusted, and perhaps would not have adopted it. They had had time, however, to carefully weigh the matter, and he believed they would bring it into force, and that it would be acted upon in nine cases out

of ten. His object was to defend his own action in the county against the bringing of the Act into force. If the honorable member for Avon had been so anxious to make the Counties Act a workable measure in this House, he might have proved his consistency by attempting to make it workable in his own county. That would have shown a consistency which the honorable gentleman apparently did not aim at. The honorable gentleman had done all he could to prevent the Act being brought into force and being made a workable measure, and now all he can say is that we are in a mess. The taking of the Land Fund would not bring them into a mess; Separation would not do so; and even the imposition of a property and income tax would not land them in trouble. Honorable members coming to this House, not knowing which side to take, now supporting one Government and then opposing it, bringing forward resolutions on their own account, and refusing to follow any leader—that was what would bring the country into a mess, and a mess from which they would only be relieved by the people themselves.

Mr. BURNS said that, although this discussion was unexpected, it was likely to do a great deal of good. He would vote for this motion, though the House had rejected a similar motion which he had himself brought forward a few days ago. He believed this to be a very necessary work, and there was no other way of getting it done in the meantime. He thought that the only way out of the difficulty of dealing with such matters was to fall back upon a Board of Works that would take charge of all the public works of every description in the country, including railways, harbours, roads, and bridges. It would not follow that the County Councils or Road Boards should be broken up. They required some body to take charge of the main arterial lines of railway. The sooner this House was rid of such work the better, as they knew what the bringing of these matters before the House meant. The House must frame a law so that a Board of Works should do the work, even if they were paid for their services. How could it be expected that he should know the wants of the North Island, or places where he had never been? The only way out of the difficulty was to appoint a Board of Public Works—in fact, to fall back upon the old provincial system, with the exception of the legislative functions. He was perfectly sure that if the House had adopted such a course last year they would have had a great deal less recrimination and fewer long speeches. They should have followed that up by wise legislation, so as to confer upon the bodies created proper power to raise money for public works within the several districts. The money had to be spent locally in some way. The money could not be spent properly by this House, and the sooner they dispensed with railway management from this centre the better would it be for the country. The thing was utterly impossible. The only way of getting over the difficulty was to place the charge of all public works in a Board of Works. This House had no right to become a Board of Works; it had other duties to per-

form. The public works would have to be carried on for many years to come, as they were now really only in their infancy. If this House had to deal with them it would require to sit all the year round, and he would like to know where they would get men to do that. Many of them remained here at very great personal disadvantage to themselves. If some well-devised scheme for the establishment of an efficient Board of Works were brought down it would be one of the most acceptable schemes that had ever been mooted in the House. He was not going to indulge in the least recrimination—there had been a great deal too much of it. He had no doubt some practical good would result from this debate, which had gone further than probably was intended by the motion of the honorable member for Riverton.

Mr. FISHER said the honorable member for Coleridge had referred to the question of the county system. He (Mr. Fisher) had moved that the Province of Canterbury should be divided into two counties, but he could not carry it. He was not in the same amiable frame of mind as the honorable member for Avon in regard to the Counties Act, inasmuch as he did not attempt to make the Act workable. He did not believe it would ever be a workable measure. The Road Boards were well managed, and they would never submit to be swallowed up in the counties. The people would not support a double system of government and submit to the double expense. He had been accused of being a traitor to his province; but he had always stood up for the Land Fund. The honorable member for Waikouaiti had his hands on the Land Fund of the people of Canterbury, and, on the principle that a small loaf was better than no bread, he supported the proposal of the Government to generalize the Land Fund even against his strong convictions. It would raise a public feeling in the country, and they would have an alteration in some way or other in the present system of government, as the people would not longer submit to the existing state of things. He was quite willing to stand by all his public acts. They would have a general distribution of the waste lands of the province, and they would not have members getting up and selfishly proposing that the waste lands of Canterbury should be handed over to the squatters for another ten years. He trusted they would have a generalization of the Land Fund and a general distribution of the waste lands. Those members who strongly advocated the squatting interest, and who never talked on any other subject, should not attempt to tell him that he had done that which he ought not to have done. He believed they would have an alteration in the existing state of things, and it would not be his fault if such an alteration was not effected. He was not afraid to meet his constituents and to ask for their verdict upon his conduct. The honorable member for Waikouaiti and those associated with him had their hands upon the Land Fund of Otago and Canterbury. He (Mr. Fisher) was only following the advice of a gentleman from Canterbury who told him last year that he had better take half a loaf than

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no bread. The honorable gentleman could not deny this fact: that no Government could carry on without the Land Fund; and the proper course was to devise some fair and proper means of dealing with it.

Mr. ORMOND said the honorable gentleman had let out that the Government had some ulterior designs in regard to the generalization of the Land Fund. He (Mr. Ormond) had all along believed that that was the case. His belief was that the object was to prepare the way for Separation, and time would show whether that was correct or not. They had been wanting to know for several days what the Government intended to do with the land question. It was not necessary to go into that question now, as they had been told by one of the Ministers that a Land Bill would be brought down to-night. He merely rose to explain his share in reference to a matter which the honorable member for Auckland City East had dragged into this discussion. The honorable gentleman said that the late Government, in bringing the Counties Act into force, had acted contrary to law in altering the number of Councillors in some ridings in Hawke's Bay. Whatever was done in that matter was done on the advice of the Crown Law Officer. He (Mr. Ormond) was not in the Government at the time; he was Executive Officer in Hawke's Bay. He saw a telegram published in the papers to the effect that a certain distribution of ridings for the Provincial District of Hawke's Bay was about to be proclaimed. In his capacity as Executive Officer he telegraphed to the Government to ascertain if there was any truth as to the detail in proposed distribution, one which he characterized as excessively absurd. He might say that the Government had apportioned four members to the Waikaremoana Riding, in which he did not think there were many more than that number of electors altogether. The thing was absurd on the face of it. That was what led him to send the telegram. He understood that the Government at the time had taken counsel with their Law Officers, and found that the matter could be altered in the particular way in which it was done. He was not a member of the Government at the time, and he did not know what they had actually done; but he believed the thing was arranged in that way. He was perfectly sure that he had done what was right in the recommendation which he made from his knowledge of the district and of the people residing in it. He entirely agreed with the honorable member for Marsden that, notwithstanding all that had been said by honorable members on the other side, it was on account of the action of those honorable gentlemen that the Counties Act passed in a shape insufficient for the purpose for which it was intended. What were the facts of the case? On the very last evening before Parliament was prorogued last session Conferences were going on with the other Chamber in regard to the most important feature of the Counties Bill. Honorable members would remember the scene in the House that night when honorable gentlemen had all their things on board the steamers ready to go away, and

these Conferences were being carried on. The consequence was that the House did what it never would have done under ordinary circumstances, and came to a compromise which it never should have accepted in the interest of the constituencies. That was the reason why the alterations were made in the Bill, and that was entirely due to the action of honorable members on the other side of the House. The present Postmaster-General straightforwardly acknowledged that such was the fact, saying that he did not believe in the Bill, and did his best to make it unworkable.

Mr. FISHER explained that he had not said so. What he said was that, not believing in the Bill, he did not attempt to amend it; but he did not say he tried to make it unworkable.

Mr. ORMOND had no intention to misrepresent the honorable gentleman. At any rate he was only expressing his own opinion as to how the Act had got into its present position, and the reasons he had given were sufficient to justify his opinion. With regard to works of the kind now under consideration, he might say that, had it not been for the terms which the Government had to accept at the Conference last session in order to get the Bill passed at all, there would have been means for carrying them out, because there were borrowing powers in the original Bill, which had to be given up in order to get the Bill passed. With reference to the general question of making provision for works of this character, he must admit the proposal of the Native Minister was exceedingly ingenious, and one which, no doubt, the Government of the day would find very convenient—namely, that of appointing a Committee of the House to determine all these questions. If the country was to be governed by Committees, that would be a very good way to get off responsibility and difficulty; but as long as there was responsible Government the House would hold the honorable gentlemen on the Treasury benches responsible for the works carried out and the expenditure on them. The honorable gentleman would not get rid of his responsibility as easily as he thought. Honorable members had heard a great deal about the necessity for making provision for works of this description. He believed himself that the county system which had arisen out of Abolition was capable of providing local government for the various districts, and that the outcome of it would be that the districts would be locally taxed to provide for local works. When that local taxation was raised by the districts themselves, and when they performed their duties, then they would have their works properly managed, and when they paid for them themselves they would take care that they were not expensively managed. That, he believed, would be the outcome of the local government of the country as now established.

Mr. TRAVERS said the great difficulty he found in dealing with questions of this kind was his absolute ignorance of the work for which the honorable gentleman proposed that a sum of money should be placed on the Supplementary Estimates. In this case it was a bridge across a river of which he knew nothing, and therefore

it was impossible for him to deal with the question. If the honorable gentleman were to show that this work was one of necessity, and one for the construction of which the county funds were not sufficient, there would be some foundation for asking the House to urge upon the Government to place a sum of money for the purpose on the Supplementary Estimates. If the honorable gentleman had considered the position of the matter under the provisions of the Counties Act, together with the Public Works Act, he would have seen that a proposition of this kind ought never to have come from a private member of the House. The two Acts taken together contemplated the classification of works of this character throughout the colony—they were either to be treated as Government roads and bridges or as county roads and bridges. If they came within the character of Government roads and bridges duly proclaimed under the Act, it was the duty of the Government to carry out the work, and he did not think the House was called upon to consider such a work as this unless it was brought under its notice with the consent of the Government. It might, indeed, be well for private members to urge the necessity of such works upon the Government, but that should be done prior to bringing the matter under the notice of the House, because the work would have to be undertaken by the Government. If, however, it was properly a county work, there were abundant powers in the Counties Act to make provision for the construction of such works. If the ordinary county revenues were insufficient, the county could raise a special loan for the purpose, and the House was not called upon to supplement its revenues out of the ordinary resources of the colony. He would object to this motion on that ground, as he would to any proposition of the same kind. It was evidently the intention of the Counties Act, coupled with the Public Works Act, that there should be a classification of works of this character. There was no doubt the counties were not in a position, by means of local taxation, to construct or maintain that class of works which were formerly under the control of the Provincial Councils, such as main roads. Take, for instance, a road which was immediately under honorable members' notice—the main road from Wellington over the Rimutaka Hill to the Wairarapa District. It would be perfectly absurd to call upon the small population at the Hutt to pay the cost of maintaining that road in repair. In the same way with regard to the road leading from Wellington to Wanganui, which involved a large expenditure on bridges: it would be unfair to throw the cost of maintaining that road on the people of the country through which it ran. He apprehended it was the duty of the Government as early as possible to classify these works, and then to bring under the consideration of the House, in the ordinary Estimates, the means which were to be used in keeping the works in repair. The House was not called on to consider any works which were of a purely county character, and which would, under ordinary circumstances, be dealt with by the Road Boards of the districts.

*Mr. Travers*

The honorable member should first show that there was special necessity for the work, and that the county authorities could not undertake it; otherwise the House should not be asked to make special provision for it. As honorable members had wandered a long way from the question before them, he might say that he had had occasion, both professional and otherwise, to consider the Counties Act a good deal, and he was of opinion that the number of counties was too great. He conceived, also, that it would have been better to make the County Councils Boards of construction of major works throughout the district, while each county should include a considerable number of Road Boards—something on the plan of the Timaru and Gladstone Board of Works—to take in hand the lesser works. Matters would then go on very smoothly notwithstanding Abolition. He looked upon Abolition as a mistake in the form it took, but, now that the Counties Act afforded a ground upon which a more satisfactory system than at present existed could be constructed, it was the duty of the Government to propose such a system to the House without delay. They should establish a system that would be more workable and less expensive. The division into ridings served no purpose except to multiply expenses and elections. The expenses connected with the working of the Counties Act were very large, and its utility was very much impaired by the circumstance that the areas were so small. If there were a real design on the part of the Government to bring the Counties Act into useful operation throughout the colony, it might very easily be done. His own impression was that the provisions of that Act were such as could be made to work satisfactorily—they were now satisfactorily worked in some parts of the colony—but as they at present stood the county bodies were brought into conflict with the Road Boards in a manner which was quite unnecessary. He would decline to support a vote of this kind unless it came to the House recommended by the Government, because, in point of fact, the Government were absolutely responsible for the outlay to be incurred.

Mr. ROWE felt very much surprised at the number of arguments that had been used on this occasion with reference to votes of the description now asked for. Last year the House was told that it was never to hear anything about roads and bridges, and he then ventured to predict that a vast deal more would be heard of them than had previously been the case. There was one great reason why Abolition should have been carried out: it was because the legislation of the General Assembly in years gone by led up to the starving of a number of the provinces while others had abundance of wealth. If the wealth of New Zealand had been adjusted and equally distributed to all parts, there would have been no necessity for Abolition. But year by year a great deal of the means of some Provincial Governments to carry on was taken away from them, while year by year other parts of the colony were increasing in wealth; and now the House was told that the counties were unable to

make roads, which honorable members knew perfectly well was the case. But could the Provincial Councils do it in the out-districts? Take Auckland, for instance. What could the Provincial Government of that province do to carry on the work that was necessary? It was all very well for honorable members who had their roads made, and who lived in populous districts, to say, "We will not vote subsidies, and the people living in the out-districts must not come to the General Assembly and ask for the money they want;" but if that was to be the case the people of the out-districts had better leave them and go into the centres of population. In the county with which he was connected there were no main roads, and a large proportion of the land to which roads had to be made was Native land, from which no revenue was derived. Roads, bridges, and other works were required, and yet they were told that they were not to come there to seek a share of the money. They simply came there to ask for justice. As long as the colony had money, which belonged as much to his district as to any other, they had a perfect right to press these claims upon the House. Honorable members might depend upon it they would never relax their endeavours in this direction until some plan was devised for distributing the revenue equally over all parts of the colony. When that was done these applications would cease to come before the House. He knew several members who lived in out-districts from which the settlers only succeeded in getting their produce to market at very great cost. They had no means to make the roads themselves, and yet they were told that they were not to come here for assistance. He might inform the House that they would continue to come unless some means was devised for equitably dividing the revenue of the colony.

Sir G. GREY, referring to the hope of the honorable member for Totara that the Government would during the recess take into consideration the demands now made for the execution of public works, said he wondered how the honorable gentleman could think the Government could fail to take into consideration a subject which haunted them daily and hourly, a subject of the most embarrassing kind, and which presented difficulties which at present it seemed almost impossible to overcome. The honorable gentleman might rely upon it that the Government would endeavour to introduce a system which would prevent such questions coming before the House in future. That such questions would crop up again and again no one could doubt, after the speech of the honorable member for the Thames (Mr. Rowe), who said he should never leave the House in peace unless something was done. It was evident, therefore, that the Government could not allow the matter to rest where it was. So much, he could assure the House, would be done, and, speaking not only as Premier but in his capacity also as a private member, he could assure the House that everything in his power would be done to make the Counties Act a workable measure. The Postmaster-General (Mr. Fisher) had already assisted in that direction,

almost every alteration he (Sir G. Grey) had suggested with the view of improving the Act having received the support of that honorable gentleman. The remark that he (Mr. Fisher) did not intend to make the Counties Act a workable Act meant this: that he did not wish to put it into such a shape that it would destroy the Road Boards, which bodies he believed to be more efficient, under certain circumstances, than the counties. To say, as the honorable member for Clive had said, that the Postmaster-General admitted that he had done his best to make the Counties Act unworkable, was altogether to misrepresent the matter. There was another point upon which he wished to remark, because it had cropped up frequently in the House lately, and that was as to the right of the Government to assume the power to alter the laws, or to set them at defiance. To say that the Government were justified in breaking the law because they had power afterwards to remedy the breach, by making new laws to suit their views, was to say that the law had ceased to have any operation whatever in the country. The case cited by the honorable member for Auckland City East was as flagrant a violation of the law as any despot ever committed. What took place was this: On the 28th November, 1876, an Order in Council was signed by the Governor and proclaimed in the *Gazette*, by which a county was established, certain ridings were defined in it, and members were appointed to those ridings to represent them in the County Council. The Governor, having issued that Proclamation, performed the very act the law allowed him to perform, and therefore the inhabitants of those ridings had as much right to send representatives to the Council as the various electoral districts had to send representatives to this House. The Governor would not be justified in issuing any Proclamation to alter the electoral districts of the colony, and to determine that they should not send to the House the number of members which the law entitled them to send. But, the Governor having assigned a certain number of members to those ridings, the fact was distasteful to the honorable member for Clive; and on the 1st December, three days after the Proclamation was issued, he sent a telegram to the Government admitting that he knew the Proclamation had been issued, and that those acts had been done, but recommending that alterations should be made. Thereupon, without any lawful authority whatever, the alterations were made, and the inhabitants of the several ridings were deprived of the rights which had been bestowed upon them. The honorable member for Clive said that this was done under the advice of the Law Officers of the Crown. He must be permitted to express his entire disbelief of that statement, because he had reason to believe that the Law Officers of the Crown gave no advice on the subject. If inquiry were made, that would be found to be the fact. Now, he asserted, again, that an infraction of the law was committed in this case, by which rights were taken from the Queen's subjects; and such acts, he maintained, ought not to be repeated, and ought never to have been committed. The House should de-



termine to set its face against such proceedings; otherwise persons might be deprived of lawful rights which they very much cherished, at the will of an individual in power, and in breach of the law. As to the motion under discussion, he was not certain that it would be within the power of the House to assent to it. Several honorable gentlemen had said that a stop should be put to the introduction of such motions. That was an impossibility. It must be in the discretion of honorable members whether they introduced them or not. He would defy any honorable member to interfere with his privileges in that respect. He admitted, however, that the practice involved certain inconveniences, and should be kept within due bounds; but it was also a practice which offered certain advantages, because, in a large and scattered country like New Zealand—a country extending farther in latitude than any other British possession, and farther than many nations—there must arise claims which would justify members in bringing forward motions of this kind in order to make known the wants of distant districts. He could only say that, if any general system could be adopted to diminish motions of this kind, the Government would endeavour to introduce such a system next session.

Mr. MACANDREW said that he knew the locality where it was proposed to erect this bridge, and he believed the bridge was very much wanted: in fact, when the Riverton and Otatau Railway was finished it would be absolutely necessary to have a bridge, otherwise a large part of the country would have no access to the railway. The difficulty he saw in the matter was that, if the Government agreed to this proposal, it would be hard to stop. Many other similar proposals would no doubt be brought up before the session closed; and how could the Government refuse them? He hoped that the honorable member would accept the suggestion of the Premier, and withdraw the motion. The honorable gentleman in charge of the motion had called attention to the necessity for this bridge, and no doubt it would be erected sooner or later.

Mr. HUNTER said that, with reference to what had fallen from previous speakers in regard to the action of the Government in respect to the County Council of Waipawa, he would like to refer the House to section 209 of the Counties Act, which provided that—

"In all cases where no provision or no sufficient provision is in the opinion of the Governor made by this Act, it shall be lawful for the Governor from time to time, for the purpose of facilitating or more effectually carrying into execution any of the objects of this Act, to make and prescribe all such regulations and orders, either general or applicable to particular cases only, as he shall think fit, and such regulations and orders from time to time to revoke or alter as to the Governor shall appear to be requisite. All such regulations and orders shall be published in the *Gazette*, and, being so published, shall have the force of law at the expiration of ten days after such publication."

*Sir G. Grey*

That showed very clearly that the Governor might remedy any defects, and it was only the power given by that clause that had been exercised in the case referred to. When the clause was passed last year it was regarded as the safety-valve of the whole Act, and he appealed to the honorable member for Avon to bear him out in that statement.

Sir G. GREY said that the clause had no relation whatever to the matter; it simply provided for what was to be done in cases where no provision, or no sufficient provision, had been made. In this case sufficient provision had been made.

Mr. HODGKINSON said that he did not feel at liberty at this period of the session to go at great length into the question which had been raised by his motion. He thought that the discussion should have taken place during the early part of the session, and not during the last week. Had it come on earlier he would have gone into the question at some length. He wished, however, to justify himself for having brought forward this motion. The reason he had done so was that there were three or four other motions of the same character on the Order Paper. There was one by the honorable member for the Taieri, who, by the way, when he was a Minister, informed the House that the counties would be fully competent to undertake all those local works, and that the Government of the colony should not be required to do anything at all in those districts. Then there was a similar motion placed on the Order Paper by the honorable member for Invercargill; and a few days ago the House went into Committee to consider a demand made by the honorable member for Grey Valley for a sum of £10,000 for a bridge in his district. The bridge which he (Mr. Hodgkinson) asked to have made would not cost more than £1,000 or £1,200. The House had also passed a resolution to go into Committee for making the Aorere Tramway, at the instance of the honorable member for Collingwood. Although he (Mr. Hodgkinson) had asked the House to consider the necessity for making a tramway to open up one of the finest districts in the colony, and one of the largest coal fields, such decided opposition was offered to it that he felt compelled to withdraw his motion. What he complained of was that no principle guided the House in these matters; and while the House agreed to go into Committee to consider the making of the Aorere Tramway—a work which would only open up a few quiet walks for the residents of Nelson—he could not see the justice of their refusing to accept such a motion as this. The fact was that the House just now was in a peculiar predicament in respect to those works, and the whole of those evils were entirely owing to the abolition of the provinces. That was not a new opinion of his. Ten years ago, when the subject was broached in the Provincial Council of Southland, he had put on record all that he had since said in Parliament, and he had contended that if Provincialism were abolished the House of Representatives would simply become a Board of Works and a log-rolling institution. He did not intend to press his motion, but he

thought it had done good, inasmuch as it had raised a discussion in which the present unsatisfactory state of things was brought into the light. What the remedy was to be he did not quite know. Certainly he could not approve of the solution of the difficulty at which the Minister of Justice had hinted. There was no guarantee that a Committee upon public works would be impartial, or that it would be able to decide cases on their merits. It would have no local knowledge whatever, and those honorable members who most interested themselves in getting local works for their districts might be very successful, while others who might not happen to be on the Committee might get nothing at all. He did not think those matters ought to come before the House at all. He thought the idea of Sir Julius Vogel, that roads and bridges should not be heard of in that House, was a good one. He thought there was a necessity for creating some intermediate machinery for the purpose of undertaking those works. He believed the best solution of the difficulty would be to adopt the following amendment, which he had moved upon the resolution of the honorable member for Waikais in respect to arterial roads:—

"That, in the opinion of this House, it being now established that the counties are unable to make provision for the construction and maintenance of the main arterial roads of the colony, it is necessary that, until District Boards of Works or Councils, or other institutions capable of undertaking such works, are established, provision be made by the Government for the construction and maintenance of the same; and that the Government be requested to prepare a schedule of such arterial roads, and to place upon the Estimates the sum required for each."

That was generally assented to by the House, and he thought that fact was a sufficient reply to those who said that the counties were able to undertake these works. The honorable member for Waikouaiti had taunted him as a Southland member with voting for a proposal to cripple the counties of Otago by taking their funds away from them. Such a statement was unreasonable, coming from that honorable member. The honorable gentleman had been in office for twelve months, and had not assisted the counties to funds; but, on the contrary, he and his colleagues proposed to take £109,000 from Otago, whereas the present Ministry was only going to take £53,000. He differed from honorable gentlemen who thought the counties would in time be a success. He believed they would never be a success, and that was the general opinion of the settlers in the district from which he came. They all thought the county system was a mistake, and they were induced to adopt that opinion by the action of the Wallace Council, which had done nothing since it was brought into existence except rushing into extravagance and getting into debt. The fact was, the system was premature, and would not work in nine cases out of ten. He fully believed that the Government would have to take charge of these works unless the Assembly constituted some intermediate body such as that which he had suggested. He had little hope,

however, that they would get that or any other beneficial reform so long as the present Parliament existed. The name which he proposed to give to this intermediate body might be objected to, but the main principle he contended for could not be objected to. He should like to see the number of the counties greatly reduced, so that their size might be something like that of the proposed education districts. Then they might work, especially if they had greater power to make by-laws. At any rate they must have some body to take up this work, and not throw upon the House the task of deciding where roads and bridges should be put. He admitted that his motion was not good in principle, but, the system of bringing forward these motions having been initiated, he was compelled to do what he had done, and thought his motion had done good in that it had brought about this important discussion. That having been accomplished, he should withdraw the motion, leaving it to the consideration of the Government with other matters. He hoped that, if he withdrew his motion, the House would do equal justice to all such motions, and he would expect that several other resolutions of the same sort which were now on the Order Paper would be withdrawn also. He would ask leave of the House to withdraw the motion.

Leave refused.

Question put, "That the motion be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	20
Noes	...	...	...	...	16
Majority for	...	...	...	...	4

#### AYES.

Mr. Barff,	Mr. Nahe,
Mr. J. C. Brown,	Mr. O'Rorke,
Mr. Burns,	Mr. Rowe,
Mr. Curtis,	Mr. Stout,
Mr. De Lautour,	Mr. Thomson,
Mr. Dignan,	Mr. Tole,
Mr. Fisher,	Mr. W. Wood.
Mr. Joyce,	
Mr. Lumsden,	<i>Tellers.</i>
Mr. McLean,	Sir R. Douglas,
Captain Morris,	Mr. Hodgkinson.

#### NOES.

Mr. Baigent,	Mr. Rees,
Mr. Ballance,	Captain Russell,
Mr. J. E. Brown,	Mr. Sharp,
Mr. Gisborne,	Mr. Travers,
Mr. Hunter,	Mr. Wakefield.
Mr. Hursthouse,	
Mr. Macfarlane,	<i>Tellers.</i>
Mr. Murray,	Mr. Montgomery,
Mr. Ormond,	Mr. Reynolds.

The motion was consequently agreed to.

#### WALLACE AND FIORD HOSPITAL.

Mr. HODGKINSON, in moving the motion standing in his name, said it had reference to certain sections in the Town of Riverton on which cottages had been erected for the convenience of immigrants. He had been requested

by the Hospital Trustees to ask the House to give the land on which these cottages were, and the cottages themselves, to the hospital as an endowment. The hospital was very much needed, and what made it more needed was that it was near to the diggings, where a great many accidents occurred. It was considered that the cottages were no longer required for the use of immigrants, and in his opinion it was very desirable that they should be handed over to the Hospital Trustees.

Motion made, and question proposed, "That this House is of opinion that the five immigrants' cottages at Riverton, and Sections Nos. 22, 23, 24, 25, and 26, Block IX., Town of Riverton, should be handed over to the Trustees of the Wallace and Fiord Hospital, as an endowment for said hospital."—(*Mr. Hodgkinson.*)

Mr. MACANDREW said the only possible objection that could be taken to this motion was a probability of the cottages being again required for immigrants. He thought, however, that that probability was very remote. They were built at a time when immigrants were being rushed into the country weekly by thousands; but, as it was not likely that immigration on such a reckless scale would take place again, he thought that under all the circumstances it would be better to utilize the cottages in the way proposed.

Motion agreed to.

#### NATIVE LANDS FRAUDS PREVENTION ACT.

On the motion of Mr. SUTTON, it was ordered, That it is desirable that the annual reports of all Commissioners under the Native Lands Frauds Prevention Act for the years 1875-76 and 1876-77 should be laid before the House this session.

#### AUCKLAND PUBLIC WORKS.

Mr. ROWE, in moving the motion standing in his name, said that, after the long discussion that had taken place to-day, one might almost feel debarred from making the proposal contained in this motion, but nothing that had been said could possibly remove from his mind the sense of the injustice from which the district proposed to be benefited by this vote had been suffering for many years past through the want of proper road communication. If this discussion had taken place in an early part of the session he thought these matters would have been in a far better position. They had seen almost every day motions on the Paper asking for land to be given for almost every purpose, and the House assented to those motions. Hundreds of thousands of acres had been voted as endowments for various purposes, and it was only a night or two ago that a vote of £10,000 was made for one district on a motion brought forward by the Minister of Justice. The money was actually voted by the House without any opposition whatever, and he thought the House had done right in voting the money. The first item in this motion referred to roads in Coromandel. Coromandel had been occupied for a long time by miners, of whom there was a very large number there, and it happened to be situated in a Native district. The people had exerted

themselves to a very great extent, and had taxed themselves to the utmost of their power; but all their taxes utterly failed to provide funds to make the roads that were necessary for the district, or to keep existing roads in repair. Many years ago a tramway was constructed with money voted by the Provincial Government of Auckland, but the people had been unable to raise sufficient money to keep that tramway in repair, and it had now become almost useless. He had from time to time received communications by telegraph, entreating him to ask the Government to supply the inhabitants with material to put the tramway in repair. He saw no prospect, however, of getting assistance in that direction, and therefore he asked the House for a vote. Then, the road from Coromandel to the Thames, a distance of not more than twenty miles, was almost impassable. In the heat of election times he had travelled overland between those two places, but he would not attempt to do such a thing again until the road was put in a better state of repair. Thus, between two important and populous districts, within twenty miles of each other, there was no communication overland without endangering life. The result had been the loss of life in several instances. Rather than undertake the journey overland, people had gone between these places in small boats, and several people had been drowned. A member of his own family had been drowned in endeavouring to go from Coromandel to the Thames in an open boat. He asked, therefore, that a sum of £2,000 should be given to the Coromandel County Council for the purpose of making this main line of road. There was a settlement about midway, some six miles from the Thames, and the road there was in such a state as to be almost impassable, but the County Council was certainly unable to put it in repair. He did not entertain the same opinions with reference to the county system as other honorable gentlemen had expressed. At the Thames they had endeavoured to work the system as far as their means permitted, and it had been worked successfully there. The county system there had not been attended with such large expense as many members had stated. A great deal of work had been done, and done economically. The county had eighty or ninety miles of main road to make, and nine-tenths of it passed through Native land, land which did not contribute by rates towards the maintenance of the road; but the road was absolutely necessary for the purpose of communication between one settlement and another. They had, during the past year, succeeded in inducing the Natives to allow the County Council to open a line of road throughout the length of the country, and it was proposed to employ Native labour upon the road. The County Council had entered into an agreement with the Natives that they should be employed upon the making it, and upon that and other conditions they had yielded their consent. When this road was opened up it would be necessary to fence all their plantations and *tapus*. A bridge had been built over the Kauaeranga River. About twenty individuals had been drowned during the last

*Mr. Hodgkinson*

four or five years in endeavouring to cross it. He thought those main lines of road should be carried out, and that could not be done unless the County Council received assistance from some quarter or another. It required not only the whole of the means the county had to make the district roads, but far more means than they possessed, or were likely to possess for many years to come. There was no Land Fund from which any assistance could be derived. There were no reserves or endowments; and he did not think any one who was at all acquainted with the district, or who had any knowledge of the necessity for carrying out the works to which he had referred, and for which he sought to obtain this vote of money from the Parliament, would for a moment assert that they were asking for a shilling more than they ought to get. Hitherto justice had not been done to that part of the country. He did not see how the out-districts were to carry on public works, and how those roads were to be made, unless, as had been said, the Government took over the main lines of road in the counties. He believed that that should be done, and that they should leave the counties to do the district work. He trusted the House would consent to go into Committee on the next private members' day.

Motion made, and question proposed, "That this House will, on next private members' day, resolve itself into a Committee of the Whole, to consider of an address to His Excellency the Governor, praying that he will cause to be placed upon the Supplementary Estimates the sum of £12,750, in addition to the amount already proposed, for the following works: Coromandel Road to Tokatea Range, £2,000; from Coromandel to Thames, main road, £2,000; from Mackaytown to Waitekauri, £3,000; fencing roads and *tapus*, Native lands, £750; from Tauranga to Mackaytown, £3,000; from Mackaytown to Te Aroha, £1,000; from Thames to Hastings, £1,000.—£12,750."—(Mr. Rowe.)

Mr. REYNOLDS said that, on the same principle on which he objected to the last motion, he intended to object to this one. He considered that it was not right on the part of this House to force the Government to place sums on the Estimates knowing perfectly well that they had not the funds to meet such votes. He regretted very much that so large a number of members had voted as they did on the last occasion, and he could not but think that they had done so out of courtesy to the honorable member who had brought forward the motion. When the subject came before the Committee of the whole House those honorable gentlemen would probably be found voting against it. He thought it far more honest to oppose the vote on the first occasion than to support it at first and afterwards to oppose it in Committee. He was not in a position to judge of the proposed works. He thought that there were very few members of the House who could tell whether or not such works were necessary, or whether it was advisable that the colony should take them up. If other honorable members took the course of bringing forward such motions he should be compelled to come down

with a proposal for some extensive vote for his own district. There was an important road which required to be made between Port Chalmers and Purakanui. There were a large number of settlers there, and he would be doing justice to his constituents were he to ask for a similar vote for making that road.

The hour of half-past five o'clock having arrived, Mr. SPEAKER left the chair.

#### HOUSE RESUMED.

Mr. SPEAKER resumed the chair at half-past seven o'clock.

#### EMPLOYMENT OF FEMALES BILL.

Mr. BURNS, in moving the second reading of this Bill, said he would not detain the House with any long statement, as the session had so far advanced. He would merely, as shortly as he could, state the reasons for asking that the Bill be read a second time. About a fortnight ago an information was laid against the Mosgiel Woollen Factory Company for keeping people employed for longer hours than those laid down under the 10th section of the Act of 1875. The case was brought before the Resident Magistrate at Outram on Monday last, but he had not yet heard the result. The effect of laying that information at once set the whole of the employes on edge, and petitions were sent up to both branches of the Legislature. He might at once state, in order that there might be no misunderstanding upon the matter, that as far as the directors or other persons interested in the factory were concerned they had nothing whatever to do with the petition, which came entirely from the people employed in the factory. If honorable gentlemen would take the trouble to look at the petition itself, they would see on the face of it that it must have come simply from the employes themselves, because it was barely within the rules of the House. There was therefore no making up, as far as the petition was concerned, which went through the usual course before the Public Petitions Committee, who recommended that a Bill should be introduced to give effect to the prayer of the petition. That prayer was simply to the effect that the females employed in the factory should be permitted to work for the number of hours they had been accustomed to ever since the factory was started—namely, fifty-four hours a week, or an average of nine hours a day. He was an advocate for short hours, particularly for people who were employed out of doors, in which case he thought eight hours a day was quite sufficient; but, considering the light nature of the work in this factory, he thought nine hours a day would not be a hardship, particularly as these people were working on piecework. A system had grown up amongst these people by which they very often got a whole holiday on Saturday, and, in order that their wages might not be reduced, they worked a few minutes over each day to make up the lost time. The consequence was that the law, interfering as it did in this way, produced another hardship. It must be borne in mind that material could not be forced through a machine which could only do a certain amount of work, and therefore, by

restricting the hours these people had been accustomed to work ever since the mill was started, a hardship would be brought upon them. That was why he moved in the matter. He would not have done so if the petition had come from the other side. Hence he asked the House to reconsider the Act of 1875, and amend it by simply allowing the people to work for the number of hours they had been accustomed to work. He understood that one honorable gentleman was going to move in Committee an addition to section 2 to this effect: "subject to such regulations as the Governor in Council may from time to time prescribe." He would have no objection to that amendment: in fact, he would be willing to put it in himself. In many cases, even as the law stood at present, it would be advisable that some such provision should be in force; otherwise there were many occasions on which the employers of labour might be at the mercy of any malicious individual, who, by finding out that the employes worked for a few minutes longer than was provided, could lay an information for the infringement of the Act. These were the plain facts of the case, and he thought it would be a great hardship on these people if the prayer of their petition was not granted. He trusted, therefore, the House would agree to the second reading of the Bill.

Mr. STOUT rose to move, That the Bill be read a second time that day six months. He regretted exceedingly that the honorable gentleman should have brought forward this measure. It was the second time that the privileges granted by the Employment of Females Act had been attempted to be invaded. The same thing occurred towards the end of the session of 1875, when the same arguments were used as were now brought forward—namely, that the prayer for the removal of the restriction on the hours of labour came from the females themselves. He was in Dunedin at the time, and he remembered a public meeting being held, at which many persons representing the factory hands of the place attended, and were greatly incensed that the provisions of the Act should have been altered in any way. The honorable member for the Taieri could bear witness to the correctness of his statement on that point, as the honorable gentleman would no doubt remember well the manner in which he was received. This Bill virtually asked the Parliament of New Zealand to sanction an extension of the hours of labour from eight hours a day to nine hours. At present all males were asked to work only eight hours a day.

Mr. BURNS.—Not in factories.

Mr. STOUT would rather see all factories done away with than that the employes in them should be asked to work for a greater number of hours a day than the number that had already been fixed by the Legislature. The honorable gentleman's argument was that females working in the open air should only be asked to work eight hours a day, but that if working in a factory the number of hours might be increased. That was a most ridiculous argument, and there was little doubt that people could work for a much longer time in the open air than in rooms, unless

such rooms were extremely well ventilated. He asked the House to at once put a stop to increasing the hours of labour in New Zealand. He believed one of the most beneficial things to the colony was, lessening the hours of labour. Honorable members would see that, instead of decreasing the earnings of workmen and increasing the cost of production, it was the reverse. He would not go into details, but Brassey proved by statistics that such was the case, from tests applied to railway and factory work. If the eight-hours system in this colony was to be changed, why stop at females?—why not include males? Where was the honorable gentleman going to draw the line? What were the reasons he urged for the change? That the women would make more wages if they worked nine hours a day instead of eight. But there was something else for the Legislature to look to: that was the preservation of the health of the people, which was of quite as much importance as preserving the wealth of the people. He believed the effect of overwork in factories had been most pernicious to the people of England, and he did not think they yet knew to what extent that had gone in the manufacturing districts. He would ask the House to pause before it allowed the eight-hours system, which had worked so beneficially, to be invaded. Seeing there was a Females Employment Act already on the Statute Book, honorable members should not allow its provisions to be destroyed by permitting this Bill to pass.

Mr. MANDERS trusted the amendment of the honorable member for Dunedin City would be carried. He was very sorry he could not support the honorable member for Roslyn, with whom he generally agreed, in carrying a measure of this kind. When a similar Act to that now in force in this colony was introduced in England it was shown that it was necessary to protect females and young persons, even against their own wishes. Shortening the hours of work was shown to materially benefit the earnings even of those who were employed in factories and coal mines. Although the Bill before them might have been introduced to give effect to the prayer of a petition that the hours of work might be made longer, still it was the duty of the Legislature to look after the benefit of the whole community. Parliament had passed an Act, at the instance of Mr. Bradshaw and other gentlemen, in which it was provided that females and young persons should not be employed in close rooms beyond a certain number of hours during the week. He thought there had been an infringement of that Act already by allowing men to work longer, and he trusted that, in the case of females and young persons, the House would throw a shield over them, and protect them from the dangers that would arise from allowing them to work during longer hours on piece-work. The Act was very strictly enforced at Home, and informations were laid under it if people were kept at work beyond the legitimate number of hours. They very often saw cases reported in the Home journals in which persons were brought up for infringing that Act, and it was quite right, in a colony like this, where there was such strong

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competition going on, that they should not abate one jot of the existing Act, which had produced a great deal of good amongst the class who laboured under its provisions. If a poll of the females employed in the large clothing factories were taken he was sure their opinions would be largely in favour of the Act as it stood. As to the argument that a machine could do more work, he was perfectly well aware of that, but the people attending those machines might be called upon to attend longer hours, and if any relaxation of the hours were made it would be an inducement to those establishments to employ the hands for an extra number of hours. He trusted, for the reasons stated by the honorable member for Dunedin City, that the House would not abate the provisions of the existing law defining the hours of labour.

Sir G. GREY thought the House should not pass a Bill of this nature until a Committee had inquired into the whole subject and ascertained whether it was necessary to make such a change. The House would observe that up to the present time it was employers of labour only who had spoken; the employed had not been heard in any way. The Bill made very serious alterations in the existing law, more serious alterations than appeared at first sight. In the first place, he would call the attention of the House to the fact that the word "female" included a female child of ten years of age. Under other laws in force in the colony, children might be apprenticed in manufactories, and this Bill enacted that female children of such a tender age might be made to work fifty-four hours in every week. Below a certain age they could only be made to work on every alternate day, but still nine hours' labour for a female child on any single day was too much. There was still another and a very much stronger objection to the Bill. It allowed night labour. The children might be kept up all night if the employers desired it. The Bill said that they might be kept at work "at such time or times, not exceeding fifty-four hours in any week of working days." That was a very serious thing, and upon the whole he felt certain that the House ought not to adopt it. The honorable member for Roslyn shook his head. He supposed the honorable gentleman was under the impression that the Bill would not repeal the clauses relating to night work. The Bill was clear and distinct upon the point.

Mr. BURNS said that was not the intention of the Bill.

Sir G. GREY said the existence of that doubt simply showed the necessity for inquiry. He therefore earnestly hoped the House would recollect that the Bill concerned all females who were employed in such factories; and not only that, but it affected children of very tender years—children who, possibly, had no parents to look after them. The whole subject, he submitted, was one of such importance, as concerning a considerable number of the female population of this colony, that the Bill ought not to be allowed to pass until a Committee had inquired into the working of such manufactories, and the probable effect of such a measure. He trusted the House

would exercise that caution which the British Parliament always exercised with regard to Bills of the kind.

Mr. JOYCE not only hoped that the Bill would not be passed until the subject had been investigated by a Committee, but he also hoped that a Committee would be appointed to inquire into evasions of the existing Females Employment Act. He believed that Act was continually evaded, to the disadvantage of those whom it was intended to protect. As to the petition referred to by the honorable member for Roslyn, he attached no importance to it. They all understood how easy it was to obtain signatures to petitions. The women of Salt Lake City petitioned in favour of polygamy, but no one believed they were really in favour of the practice. The honorable member spoke of getting a greater amount of work out of the machines. He seemed to forget that the machines had to be attended by human beings. But the fact was that the proprietors of the Mosgiel Factory did not care whom they sacrificed so long as they made money.

Mr. BURNS said this proposal came from the workpeople themselves.

Mr. JOYCE knew that the honorable gentleman had nothing to do with drafting the Bill. The honorable gentleman could only speak for himself, and he said the Bill was introduced to assimilate the law with the law of the old country.

Mr. BURNS said he did not say so.

Mr. JOYCE held that, whether the honorable gentleman said so or not, he conveyed the impression that it would be well that the House should assimilate the colonial with the English law. But the honorable gentleman did say that the Act got machine-owners into trouble if the machines were kept in operation a few minutes over the stipulated time. All he wished to say upon that point was, that he hoped the Act would continue to give them trouble. That was a difficulty which factory proprietors could easily provide for by putting on extra hands, or by refusing to take so much work. It was impossible to disguise the fact that underlying this question was the eight-hours system, the system upon which they prided themselves and upon which their immigration agents at Home had descanted with such advantage. It had proved one of the greatest attractions to immigrants, and had done more good for this colony than any other thing that he could name. Not long ago he came across a very striking passage in a speech delivered in the old country by a late Governor of New Zealand. Speaking of some weavers who came out to New Zealand, he referred to their poverty-stricken condition in the old country, and stated that when he met them in New Zealand he was astonished at the change in their appearance and in their physique, and the whole of that he thought was to be attributed to the eight-hours system, which had given so much opportunity to improve their condition as to change their race, so to speak. Underneath all this there was the question of protection, because the eight-hours system, although they might close their eyes to the fact, was really a system of pro-

tection. While that system existed it was not to be supposed that they could compete with the products of countries where the ten-hours system prevailed. He did not attach much importance to the statement that men could do as much work in eight hours as they could in ten hours, especially in the case of machine work, where the machines went at a given pace throughout. If this woollen industry was not sufficiently protected, let the honorable gentleman say so—let him say that it would pine away if the 10 per cent. were not increased to 15 per cent.; but he hoped they would not try to keep up this industry by extracting flesh and blood from the employée. How would the honorable gentleman like the idea of his sister or his daughter being compelled to work fifty-four hours a week? It was practical slavery. Let him put it to himself whether he would like to look after a machine for fifty-four hours in the week. It was the most dreary, monotonous occupation that one could possibly follow, unless indeed it were listening to and reporting some of the speeches made in that House. The members of many trades protected themselves by combinations, but the women had not arrived at that point. They had not the education, the training, or the faculties necessary for the formation of combinations. He believed that that principle should be extended. The grandest motto they could have would be "Protection from without and union within." That principle, perhaps, would not create an Arcadia, but they would be much better off than if an extension of the hours of labour were allowed. As a matter of fact, the thing resolved itself into this: It was desired by means of this Bill to enrich persons not ill-to-do at present by robbing a helpless and unprotected class in the community of money, because time was money, or of, at any rate, that leisure which they should have to fit them for the duties of mothers of the future race. Instead of amending the law in the direction proposed, its administration should be looked into, and it would be well if a Commission were appointed to ascertain how far the authorities in different parts of the colony were insisting upon the provisions of the law being carried out. He knew of only one or two instances in which it had been enforced. It had been enforced in Dunedin, but there had been an unsuccessful attempt to enforce it on the West Coast. The offence against it was looked upon with too much leniency, and in many parts of the colony women were worked too many hours. It was for their moral and physical welfare that this should not be allowed. It was all very well to say there should be free trade in this as in other things, but it was not right to say that till women were given political privileges and had a voice in the legislation of the colony. They were kept in tutelage, and until they were given a voice in the legislation of the colony it was the duty of the House to look after them like children.

Mr. ROLLESTON remarked that this was a subject upon which there was a great deal to be said, and it would be very easy to dilate upon the Bill before the House for some hours were it not that time pressed; but he thought the sug-

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gestion of the Premier was one which would commend itself very much to the House, and he hoped the honorable member who brought down the Bill would accept it. It would be undesirable to impute any motives to the honorable member for Roslyn, but he thought the subject called for further inquiry before there was legislation. It was too late this session for an inquiry, but he hoped there would be an inquiry next session. A great principle was involved, and he should like to have further information before legislation took place. The honorable gentleman, in introducing the Bill, said that the females were worked extra during the week to make up their time, in order that they might be given a holiday on Saturday: so that already they worked over nine hours a day.

Mr. BURNS might explain. He had said it was a custom that had grown up, and was one to which the directors had not objected, among the female employées to make up time during the week, so that they might have a full holiday on Saturday.

Mr. ROLLESTON did not care from what reason it proceeded, the fact was the same, and no doubt the result would be the same. The females had to do six days' work in five days, which he did not think should be allowed. As to the proposal that the hours of labour should be regulated by Orders in Council, he did not agree with it, and he believed the House would not be willing to have any *quasi*-legislation upon this subject in the shape of Orders in Council. It would be much better if the honorable member would withdraw the Bill—for evidently the House would not accept it—as persistency with it would lead to a general discussion with no satisfactory result.

Mr. MURRAY thought the honorable member for Roslyn had not been fairly treated. He could not understand honorable gentlemen who would show their cheap philanthropy by robbing the females of 5s. per week; because that would be the effect of rejecting the Bill. He would ask this: How could our struggling industries compete with the Home factories, where the operatives worked ten hours a day, when operatives here were restricted by law to only work eight hours? They should not be continually meddling with the freedom of industry, enterprise, and labour. He hoped the Government would consider the matter during the recess, if, as it seemed, this Bill was not to be accepted.

Mr. REYNOLDS expressed surprise at the course the House had adopted in reference to the Bill. It was all very well to say that the House must protect females, but it was quite against their wishes that the House should do so. He had taken trouble to make inquiries, not only in the Mosgiel Factory, but in factories in other parts of the colony, and he knew that the females did not want protection. They believed they were injured by the interference of the Legislature, which hindered them in their efforts to gain a livelihood. The honorable member for Wallace proposed that a Commission should be appointed to make inquiries so as to ascertain where the law was being broken, but he need go no further than the Government offices to discover

that the law was being broken, and he (Mr. Reynolds) felt sure that if the law was strictly enforced the Government of the colony would be one of the first defendants before a Court of justice. If, then, the law was broken by the Government, an injustice would be done if private firms were prosecuted. There was the Telegraph Department, for instance, and the Printing Office, where, at that moment, no doubt, women were to be found busily engaged stitching Parliamentary papers to be laid before honorable members: so in the case of the Telegraph Office.

Mr. W. WOOD.—That is not a factory.

Mr. REYNOLDS.—Perhaps not; but there was heavier work in the Telegraph Department than in the Mosgiel Factory, for instance, and the same in the Printing Office.

An Hon. MEMBER.—It is piece-work there.

Mr. REYNOLDS said it was also piece-work in the case of the Mosgiel Factory. It was all piece-work there. The Premier had said that it was only the employers of labour who sought to have this Bill passed, and that the other side also ought to be represented before there was legislation. The employés had presented a petition to the House, signed, he believed, in the factory, asking that the measure now before the House should be passed. He was informed that the whole of the signatures had been obtained without any influence, either direct or indirect, on the part of the directors or management of the factory. They had nothing whatever to do with getting up the petition. He might say that he had been down at the Mosgiel Factory two or three years ago, and spoke to some of the employés about the hours of labour. In every instance, so far as he could hear, there was no objection to the hours of labour; in fact, they laughed at the hours of labour, and gave him to understand that they preferred being left to themselves, and not being interfered with by the Legislature. It was not such very hard work, merely attending to the machines, and it would do a person good to see the roses on the cheeks of those young operators. It was said that this Bill applied to children over ten years of age, and it would be another thing if it applied to such cases—it ought to be amended in Committee so as to protect children from the avarice of their parents. But with grown-up women it was another matter altogether: they were quite able to judge for themselves. A large number of these females, if the Bill were rejected, would consider themselves injured by this House. The honorable member for Avon advocated that an inquiry should be made. He (Mr. Reynolds) did not object in the least to an inquiry; but in the meantime what were these females to do? Were they to be thrown out of employment by the action of the House? If so, he trusted the Government would furnish them with employment. He trusted the Bill would be read a second time, and amended in Committee to meet the views of the Premier and other honorable members who objected to it in its present shape.

Mr. GISBORNE said if anything would induce him to vote against the Bill it was one of

the arguments of the honorable member for Roslyn. He understood that honorable gentleman to state that the factory with which he was connected deliberately violated the provisions of "The Employment of Females Act, 1875." That was not the way to approach the House for an amendment in the law, and such an argument came badly from those who broke the law. Further, he would say that in his opinion the law of supply and demand did not apply to the employment of women and children in factories. He did not care whether the women sought employment during such long hours or not. The House had to look at the consideration of the public health and social morality. The 2nd section of this Bill repealed the 10th section of "The Employment of Females Act Amendment Act, 1875." That Act said,—

"It shall be lawful to employ any female in any woollen cloth, flannel, or hose factory in which machinery or appliances of any kind are worked by steam, water, or other motive power, at such time or times in any one day, not exceeding eight hours in the whole, as may be agreed upon between such female and her employer: Provided that no female shall be so employed at any time before six of the clock in the morning or after six of the clock in the evening."

What did this Bill say? It said, in the 3rd section,—

"Notwithstanding anything contained in 'The Employment of Females Act, 1873,' or in any Act amending the same, it shall be lawful to employ any female in any woollen cloth, flannel, or hose factory in which machinery or appliances of any kind are worked by steam or other motive power, at such time or times, not exceeding fifty-four hours in any week of working days, as may be agreed upon between any such female and her employer."

According to that clause females might be employed day and night for twenty-four hours at a time. That was a dangerous clause. The Act of 1875 provided for employment day by day, but this Bill provided for employment week by week. He hoped the House would not hold woollen cloth so dear, and flesh and blood so cheap, as to pass this Bill.

Mr. TRAVERS wished to draw the attention of the House to a passage in a work of high standing on political economy—namely, "Essays and Lectures, Political and Social," by Mr. Fawcett, a distinguished member of the English House of Parliament. He showed that, so far from the shortening of the hours of labour in factories being attended with injury to employers, it had been absolutely proved to be attended with benefit, and he gave some very striking instances. The arguments which he referred to as being used by those who discussed the question were as follow:—

"It is maintained that in many employments the day's work is a great deal too long, the strain upon the constitution is too severe, and physical strength is so much exhausted that a man is unable to labour hard during the whole time he is at work. It is therefore urged that, if the day's labour were shortened, as much or even more



work would be done in the shorter as in the longer period; employers would, consequently, be able to pay at least as much for a day's work after its length had been thus shortened. Many facts can, no doubt, be adduced in support of this opinion. It can scarcely be denied that in some employments the hours of labour are habitually too long. Some very striking examples can be quoted to show that the shortening of the hours of labour confers a most important advantage both upon employers and employed. More work is done in less time, and the greater productiveness which is thus given to labour enables not only the wages of the workmen, but also the profits of the employer, to be increased. Amongst many remarkable examples of the truth of this statement, it will be sufficient to refer to one case, which is mentioned by Mr. Macdonnell in his 'Theory of Political Economy.' He states, on the authority of M. Chevalier, that a manufacturer employing 4,000 hands reduced his spinners' time one half-hour per day, and that this reduction, contrary to all expectation, was accompanied by an increase in production of one twenty-fourth."

There could be no question that the fatigued muscles could not recover so as to be able to carry on labour if the strain were kept upon them for too long hours. If this Bill were passed there was no doubt that females would be employed for considerably over nine hours a day. The females would probably seek to have three-quarters of Saturday to themselves by way of holiday, and it would then be necessary for them to labour ten and a half hours per day to make up time. As pointed out by the author of this treatise, the hours might vary with reference to particular employments. Persons in mines were unable to give the same amount of labour as persons employed in healthy work in the fields, and it might be possible that nine hours a day would not be too much for female work in woollen factories. However, it had been found as a fact that nine hours a day was sufficient for healthy, strong men, and he could not conceive why they should impose upon women the same amount of labour as was deemed sufficient for strong and able-bodied men. The argument that machinery might be kept idle was also one that had been fully considered at Home, and in this aspect: that, if machinery was kept idle in consequence of the State regulating the hours of labour, it might have the effect of deterring persons from embarking capital in undertakings which could only be made profitable by employing labourers during long hours. He held that the State was not bound in any way to encourage such undertakings as could only be made profitable by imposing undue hours of labour upon those engaged in them. The English doctrine that the wealth of nations was synonymous with the happiness of nations would, he hoped, in time be exploded. It was one that did not find favour with foreign economists, and unquestionably it was one productive of a serious amount of injury in England. As the honorable member for Dunedin City had pointed out, it was a well-known fact that there was a positive degradation going on in the phy-

*Mr. Travers*

sique of a very large portion of the population of England who were engaged in manufactures, in ill-ventilated mills, and so forth. They ought to look to that in this country. The State was not bound to consider, and ought not to consider, the wealth of any particular individuals who chose to embark in certain undertakings. The State had to consider what was for the general good and happiness of the whole people, and, if less wealth were made under those circumstances, at all events there was a gain, on the other side, of comfort and happiness to those who lived amongst them. Although he conceived that it was not a part of the duty of the State to interfere largely in the regulation of matters of trade, nevertheless it was the duty of the State to step in and protect persons from improvident bargains, whether they were improvident as affecting their pockets or their health. Nothing, he thought, was more calculated to produce injury to the people of the colony—nothing more improvident as regarded their physique—than permitting them to engage in employments for long hours, and particularly in a climate which, during summer, might be considered as somewhat enervating. They all knew how exhausting it was to be confined in a room for a considerable number of hours a day during the warmer periods of summer, and he thought they would be imposing a much heavier task, particularly upon females, if they permitted any alteration in the law, which had been passed after careful consideration. Although the Premier had suggested the consideration of this matter by a Committee, he did not think that the manufacturing interest of the colony was sufficiently large to require any such special consideration. To enlarge the number of hours as proposed by this Bill would simply be a form of protection to one industry at the expense of the comfort and health of the weaker portion of the population. He would support the amendment.

Mr. JOHNSTON said the question under discussion had been recently raised in England. Under the pressure of extreme competition in America, on the Continent, and in India, English manufacturers were pointing out that the immense capital sunk in machinery produced, owing to labour being employed only eight hours out of the twenty-four, only one-third of what it was capable of producing. The remedy suggested was that, if the manufacturers wished to run their machinery during the whole of the twenty-four hours, they should do it by relays of labour, but no one should be allowed to work more than the ordinary number of hours out of the twenty-four, and that no children should be allowed to work at night. He thought that was the proper remedy for the Mosgiel Factory. If they wanted their operatives to work more hours, they should do it by relays.

Mr. MACFARLANE said the feeling of the House was evidently against this Bill, and he hoped it would now be allowed to go to the role.

Mr. REID thought there was one fallacy running through most of the arguments used against this Bill. It was to this effect: that by altering the law they would be imposing upon

females the condition that they must necessarily work longer than eight hours. The burden of the speech of the honorable member for Wallace was that, as females were not represented in the House, they should not do anything to interfere with their rights and privileges. But the law as it stood did most seriously interfere with their judgment in these matters. He thought such interference on the part of the State was likely to be mischievous. If this industry were once securely established he would not like to see longer hours of labour permitted. The remedy suggested by the honorable member for Manawatu, to the effect that there should be relays of labour, could not be carried out as the law now stood. An honorable member said "No," but that was what he understood from reading the Act. If he were wrong, of course the remedy suggested by the honorable member for Manawatu would be one way of obviating the difficulty. That was to say, males might be employed during the other eight hours. However, that would involve very much larger buildings, because the same looms could not be used by different parties; under the contract system the same machines could not be used by a second relay. That would necessarily involve considerable outlay. However, he was not going to discuss that question, because he must say that the statement of the accounts of the Mosgiel Factory was far more satisfactory now than it was in 1875. In 1875 he did take a great interest in this matter, because he was then very much afraid that this industry was going to fall through. He thought that would be a very serious thing for the persons who were introduced into this country from Home with the view of bettering their condition, because these people, having been brought up to this industry, could not turn their hands very readily to other employment. He did not think the honorable member was likely to get his Bill through this session, but he thought some of the arguments raised had been used under a misapprehension. For instance, the Premier, in referring to the employment of "females" under this Bill, said it applied to young people over ten years of age. However, it would be found that in the Act of 1875 the word female was defined as a woman over eighteen years of age. Of course children of ten years of age were far too young to be employed in any of these industries, even for a short time. But, while they were discussing this measure with the view of protecting females, they heard very little said of the fact that many females had very great difficulty in obtaining employment. While they were arguing for the health of the females they should remember that there was something which was more injurious to them than having to work nine hours a day—namely, the want of employment and the consequent want of means of living. The honorable member for Dunedin City (Mr. Stout) had quoted from Mr. Brassey's book, but, as he (Mr. Reid) read it, Brassey referred more to the rate of wages than to the hours of labour. Brassey found that by giving a higher rate of pay to his employés he got his work done more cheaply, because his servants

worked more expeditiously and he had not to pay them for so long a time. He (Mr. Reid) thought that the less interference there was on the part of the State in these matters the better, and he believed it would be beneficial in this case if the Legislature were to withdraw the stringent provision which was contained in the present law. The law should allow females to work for ten hours if they chose to do so. If the industry that he had referred to was to become a large one he admitted that the hours of labour should be regulated by law, so that the employers might not subject their employés to excessive hours of labour.

Mr. W. WOOD thought the honorable member for Manawatu had struck the key-note, and had solved a difficult problem. The honorable member for the Taieri, however, did not seem to see that. That honorable gentleman seemed to think that it would be impossible to work a machine for more than twelve hours at a time—that the machine which was worked by the day hands could not be worked by the night hands. He (Mr. Wood), however, knew that it could be done. He had many years ago visited Nottinghamshire, where the machinery was kept working during the whole of the twenty-four hours. He had not visited that place for many years; but he thought it was extremely probable that the same system was in existence there now. He thought, if a machine in a lace manufactory could be worked for twenty-four hours, the machines in a cloth factory could be worked for the same time. With regard to the protection of females, he thought it was necessary that the House should protect them, and, as a matter of fact, he believed that they could not better protect them than by throwing out this Bill. He hoped the Bill would not be passed, but he thought that somebody should be appointed to visit the factories throughout the colony from time to time to see that no infringement of the law took place.

Mr. BURNS thought that, as so many honorable gentlemen seemed to regard the Bill with disfavour, he might as well withdraw it. But at the same time he hoped that there would be an inquiry into the matter, if only for the sake of giving honorable members some information on the subject, for he was amazed at the ignorance they had displayed in regard to it. As for the remark of the honorable member for Mataura that the machines could be worked by both males and females continuously, it was simply absurd. Even supposing the work could be done by shifts of hands, that could not be managed, because the 10th section of the present Act would not allow the employment of females for longer than eight hours a day. The honorable member for Wallace had said the employers were making money out of the flesh and blood of their fellow-creatures. That, too, was absurd. He (Mr. Burns) took up the cause of the employés and not of the employers. He always had done so, and he hoped he would do so in time to come. Why did not that honorable gentleman go down to the Mosgiel Factory and see the place the girls had to work in? The atmosphere in that

factory was far better than it was in this House, and if the honorable gentleman asked the girls they would tell him that such was the case. They would say they did not want this House to interfere with them. The girls had been trained to the work at Moegi. There would be very great difficulty in carrying out the suggestion of the honorable member for Manawatu, and if the plan proposed by the honorable gentleman would have been of any use it would have been tried long ago. He could explain to the honorable gentleman outside the House that such was the case, but he would not take up the time of the House by doing so now. He had simply done his duty to those girls by bringing the Bill forward, and, if the House did not choose to pass it, it was not his fault. The Government ought to make some inquiry into the working of the present Act, and he hoped that by next session such information would be laid before the House as would prevent honorable members from opposing such a Bill upon grounds which they did not understand. With the permission of the House he would withdraw the Bill.

Leave to withdraw the Bill refused, and the question, "That the word 'now' be struck out," agreed to.

On the question, That the Bill be read a second time this day six months,

Mr. W. WOOD said the honorable member for Boelyn seemed to think that nobody knew anything about these factories but himself. He would tell the honorable gentleman that he (Mr. Wood) had had much more to do with factories than he had. In fact, he was acquainted with factories before the honorable gentleman was born. When he was only seven years of age he had to walk through the snow at six o'clock in the morning to his work place, which was connected with a factory. He knew that the hours of labour for children were very long at that time, and he felt it to be his duty now to endeavour to protect others from being over-worked, as he had been.

Mr. BURNS would like to know what kind of a factory the honorable member had worked in. He could not have had anything to do with weaving, or he would not talk in that ridiculous and absurd way.

Amendment, "That the Bill be read a second time this day six months," agreed to.

#### WAIKATO PORT BILL.

This Bill was considered in Committee.

Clause 2.—Management of port vested in County Council.

Mr. HAMLIN moved, as an amendment, That the word "Waikato" be struck out, for the purpose of inserting the word "Manukau."

Question put, "That the word proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	30
Noes	...	...	...	...	17
Majority for	...	...	...	...	13

Mr. Burns

#### Ayes.

Major Atkinson,	Mr. Ormond,
Mr. Barff,	Mr. Reid,
Mr. Beetham,	Mr. Richardson,
Mr. Bowen,	Mr. Rolleston,
Mr. Brandon,	Mr. Rowe,
Mr. Burns,	Captain Russell,
Mr. Curtis,	Mr. Stevens,
Mr. Dignan,	Mr. Taiaroa,
Mr. Gibbs,	Mr. Tawiti,
Dr. Henry,	Mr. Wason,
Mr. Hunter,	Mr. Williams,
Mr. Hursthouse,	Mr. Woolcock.
Mr. Lumsden,	
Mr. Manders,	
Mr. McLean,	
Mr. Murray-Aynaley,	

#### Tellers.

Sir R. Douglas,  
Captain Morris.

#### Noes.

Mr. Ballance,	Mr. Nahe,
Mr. J. E. Brown,	Mr. Sheehan,
Mr. Bryce,	Mr. Stout,
Mr. De Lautour,	Mr. Thomson,
Mr. Fisher,	Mr. Tole,
Sir G. Grey,	Mr. W. Wood.
Mr. Hislop,	
Mr. Joyce,	
Mr. Montgomery,	

#### Tellers.

Mr. Hamlin,  
Mr. Rees.

The amendment was consequently negatived, and the Bill reported to the House.

On the question, That the Bill be now read a third time,

Mr. MACANDREW said he was not going to oppose the Bill at this stage, but he could not allow it to pass without placing on record his protest against it. The House had passed the Bill without having any evidence as to whether the people of the district desired the Bill to be passed or not. There was no evidence whatever that any ships went into the port, and in his opinion they should have had a return regarding the number of vessels going into the port before they were asked to consider the Bill. He himself knew nothing of the requirements of the port, and therefore he desired to record his protest against the passing of the Bill.

Mr. W. WOOD also wished to record his protest against the Bill. He did not do so out of any feeling of ill-will towards the people of the district, but because, as the Minister for Lands had said, it had not been proved that the Bill was required. He did not for one moment believe that there was any probability of the Bill becoming law. The very fact that the Bill had been put through the House in such a very hasty manner was sufficient to insure its defeat in another place, where, to their credit be it said, they were more particular in matters of this kind.

Mr. REES agreed with the remarks made by the Minister for Lands. He thought that it was simply nonsense to pass such a Bill as this.

Bill read a third time.

#### MAORI KAIKA ROAD.

On the motion of Mr. TAIAROA, it was resolved, That a respectful address be presented to His Excellency the Governor, requesting that he

will cause to be placed upon the Estimates a sum of £500 for the completion of the road from the Maori Kaika to the lighthouse at Taiaroa Head.

#### CATLIN'S RIVER.

On the motion of Mr. THOMSON, it was resolved, That an address be presented to His Excellency the Governor, recommending him to place on the Estimates the sum of £500 for the purpose of erecting a jetty and shed at Catlin's River.

#### MARTIN'S BAY.

The House went into Committee to consider of an address to the Governor, requesting that His Excellency will cause to be placed on the Supplementary Estimates a sum of £1,000, for the purpose of removing a rock that exists at the entrance of Martin's Bay Harbour, and for the improving of the approaches to that harbour generally.

Mr. MANDERS moved a resolution giving effect to the order. He had promised on a previous occasion, when the matter was before the House, to give some information with regard to it. He had had a conversation with Dr. Hector, who explained that the work could be done at a very moderate cost. The owners of the steamer "Maori," which traded to that port, were very anxious that the work should be done, because the steamer at present had to lie some distance off the harbour, and the freight charged was greatly increased in consequence. He did not think £1,000 would be required, but he hoped the House would agree to that amount being set apart, on the distinct understanding that the Government were not to spend so large an amount.

Mr. MACANDREW thought that nothing like £1,000 would be required, and, if it should be required, such an amount of money could not be spared. If the vote were reduced to something like £100 or £200, the work might, he thought, be done.

Mr. REYNOLDS moved, That "£200" be substituted for "£1,000." The colony could not afford so large a sum as £1,000, and, even if it could, the population at this locality was so limited that such an expenditure would not be justifiable.

Amendment agreed to, and resolution as amended agreed to.

#### GREY RIVER BRIDGE.

On the Order of the day being called on for a Committee of the whole House to consider of a respectful address to His Excellency the Governor, requesting him to cause to be placed on the Supplementary Estimates the sum of £10,000 for the purpose of bridging the Grey River between Greymouth and Cobden,

Mr. MACANDREW hoped the honorable member for Grey Valley would withdraw his resolution. There had been a long discussion on a motion by the honorable member for Riverton that afternoon, when a sort of understanding was arrived at with regard to all these works. There was not the slightest use in asking the Govern-

ment to put £10,000 on the Estimates for this work, for they had not got the money.

Mr. WOOLCOCK had hoped that the Minister for Public Works would have seen his way to place a sum on the Supplementary Estimates for this purpose. If it had been intimated by the Government in the previous discussion that this work would be taken into their consideration and ranked amongst those to have special attention, he would have been content, but he could not allow the resolution to lapse altogether, because this was not only a very important work, but it was required in the district, which had special claims to the consideration of the House and on the colonial funds. It was a notorious fact that that part of the country had received but a very scanty share of the public moneys in connection with the Public Works and Immigration scheme as compared with the large contributions it made to the revenue of the colony. It was remarked on a previous evening that a railway had been constructed in the neighbourhood at considerable cost. That was true, but it must be remembered that that railway was a colonial work—one in which the colony at large was specially interested, and the interest which the inhabitants of the district had in it was very small as compared with that of the colony at large. The railway opened up a very important coal-bearing district about seven miles from the port, and in a district close to this railway there was a deposit of coal which had been so far tested that, at a very moderate computation, it was estimated to contain 100,000,000 tons. On that ground he maintained that it was the colony that was specially interested in the railway, because the line would be the connecting link between the shipboard and the coal mines, and by its means 100,000,000 tons of coal superior to anything that had been consumed in the colony up to the present would be obtained at a price far below what was now being paid for imported coal. There would be given to the colony by this means of communication a constant supply of the article, which would save the colony at least £200,000 a year. He trusted that the motion would be agreed to.

Mr. REES hoped the House would not pass £10,000 for this, that, and the other purpose, or the Estimates which were taken over from the late Government would very soon be more than doubled. If everything that was asked for was granted there would be no money left for the Government to keep up the ordinary services of the country. With regard to putting aside land for works, that was a very different thing; but this was asking for a direct vote of £10,000 for a work of which not four members of the House knew anything. He could only say that, if this was agreed to, a great many other works that were required in the district would have to be left undone.

Mr. MOORHOUSE could not of course pretend to have the knowledge of this district which the honorable member who had just sat down had, but still he knew sufficient of it to be aware that the work was very necessary, and would be a very good investment for the funds of the colony.

Mr. REYNOLDS did not care whether the work was necessary or not if the colony had not money to spend upon it. If the House was going to pass votes similar to this, he would give notice that he would, on going into Committee of Supply, move several items for roads and bridges that were of much more importance than this, in districts from which large revenues were derived and where there was a large population. The House should be careful how it forced on the Estimates votes which it was perfectly well known there was no money to meet.

Mr. BAIGENT said that he should oppose this vote. It was stated a few days ago that he knew nothing about this district, but it happened that he visited it many years ago, in the early days, and he was in a position to say that this bridge would lead to nowhere. The road only went as far as Coal Creek. Only yesterday he was told by a Government Engineer that the bridge would be a mere luxury. If it would facilitate communication with the interior or was likely to be of any benefit to the people or the country he would vote for it; but the river could be crossed at any time by boat. He was there long before the Town of Greymouth was built, when there were only two shanties on the spot, and he remembered his visit because of a quarrel that took place between two persons as to whether the township should be called Waitetown or Blaketown. If they were going to spend £10,000 there it should be spent in opening up the country.

Mr. J. E. BROWN thought that the honorable member for Grey Valley had given very good reasons why the vote should be agreed to. The honorable gentleman stated that the expenditure of this £10,000 would save the colony something like £200,000 a year, and if that were true all he could say was that the money would be very well invested.

Mr. KENNEDY hoped the vote would be agreed to, as the erection of the bridge was certainly a very necessary work. The honorable member for Waimea said he visited the district before there was a settlement there, and at the same time the residents were contending by what name the town should be called. If that proved anything it proved that there was settlement there. If any honorable member would look at the returns of the district he would see that its trade was of far more importance than the trade of the so-called settled districts and City of Nelson. The revenue amounted to £40,000 a year, and it could not be shown that the trade of Nelson reached that sum. Another important reason why the bridge should be constructed was this: Two Courts were held now, one at Cobden and one at Greymouth; he believed it was in contemplation to shut up the Cobden Court, and there was a petition before the House praying that that Court should not be done away with until the bridge was erected in order to give facilities to reach the Court at Greymouth. The honorable member for Auckland City East told the House the other day that he crossed this river when it was at its highest flood. He questioned that statement. If he had attempted to cross it when it

Mr. Moorhouse

was at its highest flood it was very likely that they would have to deplore the absence of the honorable gentleman from the House at the present time. There was a very great necessity for the bridge, considering the importance of the place. This particular place must be bridged some time: it was only a question of time. If it was not done now, it would have to be done some other time.

Question put, "That the House go into Committee upon the resolution;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	19
Noes	...	...	...	...	16
Majority for	...	...	...	...	3

#### AYES.

Mr. Barff,	Mr. Murray-Aynsley,
Mr. Beetham,	Mr. Reid,
Mr. Bowen,	Mr. Richardson,
Mr. Burns,	Mr. Rowe,
Sir R. Douglas,	Mr. Seymour,
Dr. Henry,	Mr. Wason,
Mr. Hunter,	Mr. Williams.
Mr. Hursthouse,	<i>Tellers.</i>
Mr. Manders,	Mr. Kennedy,
Mr. McLean,	Mr. Woolcock.

#### NOES.

Mr. Baigent,	Mr. O'Rorke,
Mr. J. C. Brown,	Mr. Sheehan,
Mr. Dignan,	Mr. Shrimski,
Mr. Fisher,	Mr. Thomson,
Mr. Hislop,	Mr. Tolson,
Mr. Kelly,	<i>Tellers.</i>
Mr. Macandrew,	Mr. Rees,
Mr. Murray,	Mr. Reynolds.
Mr. Nahe,	

The motion was consequently agreed to.

#### IN COMMITTEE.

Mr. WOOLCOCK moved, That a respectful address be presented to His Excellency the Governor, requesting him to cause to be placed on the Supplementary Estimates the sum of £10,000 for the purpose of bridging the Grey River between Greymouth and Cobden.

Mr. RICHARDSON thought that if the honorable member got a promise from the Government that they would get sufficient information as to the necessity for and estimates for the cost of this bridge, to enable the House to deal with it on another occasion, he should be satisfied. To put this sum on the Estimates would be simply swelling their amount for nothing, because it was well understood that the Government had no money at present with which to meet the demand for this bridge.

Mr. REYNOLDS saw no use in forcing a vote like this, when the House was told that the Government had no funds with which to meet such demands. It was quite impossible for the Government to meet all these works, and he would again divide the Committee on the question.

Mr. MCLEAN felt that, as a number of votes had been put upon the Supplementary Estimates

in the way in which they had; it was only fair that this one should go on also, and that it should be placed on the same footing as all the others: then, when the House came to deal with the items one by one, they could decide them on their merits. It must be remembered that, although this sum was to be placed on the Estimates, those Estimates would come under review of the House, and it could then be disallowed if the House thought fit.

Mr. RICHARDSON was surprised that it had not suggested itself to the Government that it would be a good course to follow to withdraw the whole of the Supplementary Estimates which had been brought down and recast them, seeing that the parentage of these Estimates had been disputed on so many previous occasions. Had this course been taken it would have saved this and many other discussions which had arisen on the subject of adding to these Supplementary Estimates. An entirely new set of Supplementary Estimates such as the Government were prepared to recommend would be the best way out of the difficulty.

Mr. SWANSON thought if the votes they were now passing were not to be given effect to it would be a waste of time to consider them. It would, in fact, be a double waste of time, because they would again have to discuss the items when the Supplementary Estimates were brought down. He approved of the suggestion of the honorable member who had last spoken, and thought the Government should withdraw the present Estimates and bring down those to which they intended to give effect, and which they believed the revenue would be able to meet. It was no use saying there was a necessity for a bridge here and a road there if the money was not forthcoming. It simply could not be done, and, if the House wished to get through the work of the session, it was as well that they should begin at once, and not vote Estimates which were never intended to be carried out. If any member of the House was so "fixed up" with his constituents that he was obliged to say something pleasant when he went to see them, he should not do it at the expense of the time of the House. If this sort of thing were to be allowed, they would find an honorable member going to his constituents and saying, "I proposed so-and-so. I would have had it done for you if I possibly could, but a perverse House would not do it." Then the House might carry it, and the Government would be perverse; or it might be that the House would reject it, and the Government might do the work. Then he would say, "See: although the House refused this, I have such influence with the Government that I have been able to get it for you." That sort of thing ought to be put a stop to. It was a question of what they had to spend, and, that having been settled, then they might decide where to spend it. They did not want any fancy votes, and he could not help thinking this was a fancy vote. The House seemed to be getting into that position which he prophesied three years ago that it would get into, that it would be merely the scene of a series of scrambles for the public money. The sooner

that was put a stop to the better, and he hoped the House would reject all these motions.

Mr. WOOLCOCK disclaimed any such motive in bringing forward this motion as that which by implication was charged against him by the honorable member for Newton, and he also disclaimed any intention of embarrassing the Government. What had induced him to bring forward the motion was a thorough conviction of the utility of the bridge, and of the legitimate character of the claim of that part of the colony. In all respects his motion was justified. Some 10,000 or 12,000 persons would be benefited by the erection of the bridge. That part of the colony contributed some £40,000 annually to the consolidated revenue, and its trade amounted to something like £700,000 or £800,000 a year. In all these respects it was clear the claim of the district was excellent. This bridge had been under discussion for the last ten years, and the reason why it had not been constructed long ago was the lack of means. One principal reason was, that the site of the proposed bridge had the misfortune of being between two provinces. The river was the boundary between the two, and no doubt if it had been further in the heart of either province it would have been constructed. He did not wish to embarrass the Government, but he wished to have this bridge placed in such a category that it would receive full and fair consideration in connection with the expenditure of public money on such works.

Mr. GISBORNE said the West Coast had a special claim for consideration. The colony had borrowed millions to spend on railways and immigration, and the West Coast had not benefited by that expenditure. The West Coast had contributed to pay interest on those loans, and, when it came to a question whether they should receive £10,000 for bridging this river, he thought the House should give favourable consideration to the request.

Mr. KENNEDY said it was very amusing to see the virtuous indignation of the honorable member for Port Chalmers because this vote was proposed for the West Coast. The honorable gentleman said that he would ask for a vote to be placed on the Estimates for Otago if this were carried. Now, he (Mr. Kennedy) had before him a list of lapsed votes for the Provincial District of Otago amounting to £40,000 or £50,000 for roads alone. In the face of that list he thought that that province could scarcely be said to be overlooked regarding expenditure upon railways. He could point out that in this particular district the railway was paying as well as any railway in the colony, and perhaps that was more than could be said for the railways in the North Island. He trusted that the amount would be allowed to go on the Supplementary Estimates, and, when these were before the House, if it were not considered to be more important than others the House could strike it off.

Mr. MACANDREW said in his opinion the Supplementary Estimates were already burdened with a number of works which could not be carried out. In the face of that, why should they

go on loading the Supplementary Estimates with tens of thousands of pounds additional? There were several other similar works proposed; and one bridge, proposed by the honorable member for the Taieri, would cost twice £10,000. The position was this: The House might vote as much as they liked, but there was no money to carry out the votes. They were now coming face to face with the results of Abolition. He was very sorry to have had to go into the lobby against the proposal, but he could not do otherwise in the face of the fact that they had no money to spend.

Mr. REID said his reason for voting for this resolution and for many others to place votes upon the Supplementary Estimates was simply that he hoped this was the last year that the House would deal with these local matters, and he thought it was a very proper time in which to vote this sum simultaneously with votes for other works that might be supposed to have been overlooked from time to time in various districts. Doubtless this bridge could not be provided for out of revenue. He did not look upon this bridge and many others as works that should be constructed out of revenue, for they must necessarily form part of reproductive works which ought to be executed out of loan. For his own part he could assure the honorable gentleman that if the Supplementary Estimates came before him he would not agree to them unless the work he had proposed were provided for. The bridge he (Mr. Reid) had proposed, and to which the honorable gentleman had referred, was quite as legitimate a charge as, and more legitimate than, many of the works now on the Supplementary Estimates. Amongst the votes on those Estimates were proposals to purchase bridges from private parties, in order to enable the people living in the localities to be free from tolls. Now, the settlers paid tolls on the bridge to which his motion referred, and were quite willing to pay tolls; but it was necessary to re-construct the bridge. The fact of this work being necessary was no proof of the failure of the county system; it was more a proof of the failure of the provincial system, because the bridge was rotten before the Provincial Government was abolished, and should have been reconstructed some time ago. He believed the bridge would cost from £5,000 to £10,000. The reason why he voted for this sum being placed on the Supplementary Estimates was, that he hoped they were now winding up all these local affairs, and that in future they would have no more of these claims for special votes coming before the House.

Mr. SWANSON thought the honorable member for the Taieri had laid down a very peculiar theory. According to him, all those honorable members who had put in no claims would get nothing for their constituents, and this was to be the last year in which such claims were to be brought forward. If that were to be the state of affairs, he thought all the business should stand over for a day or two, so that they could make up their minds as to what they wanted, and all have a fair start. The real remedy was to stop at once, and treat all alike.

*Mr. Macandrew*

Mr. BAIGENT said it appeared to him that there was a general scramble. With reference to this vote, he desired to point out that, although it was stated the bridge would cost only £10,000, it would certainly cost £30,000. What would be the use of putting this item on the Supplementary Estimates?—for, if they did, the money, when expended, would only be lost.

Mr. REES hoped the Committee would show, by throwing out this vote, that they wished the Government to withdraw the Supplementary Estimates. There had evidently been a mistake about those Estimates, and he hoped the Government would adopt the suggestion thrown out by the honorable member for Christchurch City (Mr. Richardson), and take them off the table.

Mr. KENNEDY did not think that the honorable member for Auckland City East had put the matter fairly before the House. It would be unfair to make this resolution the cat's-paw for withdrawing the Supplementary Estimates. With regard to the probable cost of the bridge, there was no reason why it should cost more than the Brunner Bridge, which, although it had to be re-erected, did not cost more than £10,000 altogether.

Question put, "That the resolution be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	22
Majority against ...					4

#### AYES.

Mr. Barff,	Mr. McLean,
Mr. Beetham,	Mr. Murray-Aynsley,
Mr. Bowen,	Mr. Reid,
Mr. Burns,	Mr. Richardson,
Sir R. Douglas,	Mr. Seymour,
Mr. Gisborne,	Mr. Wason.
Dr. Henry,	
Mr. Hunter,	<i>Tellers.</i>
Mr. Hursthouse,	Mr. Kennedy,
Mr. Manders,	Mr. Woolcock.

#### NOES.

Mr. Baigent,	Mr. Murray,
Mr. J. C. Brown,	Mr. Nahe,
Mr. Bryce,	Mr. Sheehan,
Mr. Dignan,	Mr. Shrimski,
Mr. Fisher,	Mr. Swanson,
Mr. Gibbs,	Mr. Thomson,
Mr. Hamlin,	Mr. Tole,
Mr. Hislop,	Mr. W. Wood.
Mr. Johnston,	
Mr. Kelly,	<i>Tellers.</i>
Mr. Macandrew,	Mr. Rees,
Mr. Montgomery,	Mr. Reynolds.

The resolution was consequently negatived.

#### FOREST TREES PLANTING BILL.

The House went into Committee on this Bill.

Mr. MURRAY moved, That the Chairman do leave the chair.

Question put, "That the Chairman do leave

the chair;" upon which a division was called for, with the following result:—

Ayes	...	...	...	26
Noes	...	...	...	15
Majority for	...	...	...	11

**AYES.**

Mr. Baigent,  
Mr. J. C. Brown,  
Mr. Bryce,  
Mr. Dignan,  
Sir R. Douglas,  
Mr. Fisher,  
Sir G. Grey,  
Mr. Hamlin,  
Mr. Hislop,  
Mr. Hursthouse,  
Mr. Kelly,  
Mr. Kennedy,  
Mr. Macandrew,  
Mr. Montgomery,

Mr. Nahe,  
Mr. Rees,  
Mr. Reynolds,  
Mr. Rowe,  
Mr. Sheehan,  
Mr. Shrimski,  
Mr. Thomson,  
Mr. Tole,  
Mr. W. Wood,  
Mr. Woolcock.

**Tellers.**

Mr. Barff,  
Mr. Murray.

**NOES.**

Mr. Beetham,  
Mr. Bowen,  
Mr. Burns,  
Mr. Fitzroy,  
Mr. Gibbs,  
Mr. Gisborne,  
Dr. Henry,  
Mr. Hunter,

Mr. Johnston,  
Mr. Murray-Aynsley,  
Mr. Seymour,  
Mr. Swanson,  
Mr. Wason.

**Tellers.**

Mr. McLean,  
Mr. Reid.

The amendment was consequently agreed to, and the Chairman left the chair.

The House adjourned at half-past twelve o'clock a.m.

**LEGISLATIVE COUNCIL.**

*Thursday, 29th November, 1877.*

First Readings — Second Readings — Third Readings —  
Mackay's Work, Middle Island — Westland and  
Nelson Coal Fields Bill — Oamaru Harbour Bill —  
Public Libraries Bill — Crown Redress Bill No. 1 —  
Napier Swamp Bill.

The Hon. the **SPEAKER** took the chair at half-past two o'clock.

**PRAYERS.****FIRST READINGS.**

Gisborne Harbour Bill, Waikato Port Bill,  
Taranaki Roads and Bridges Bill, Nelson Rifle  
Prize Bill, Waste Lands Boards Continuance  
Bill, Napier Swamp Nuisance Bill, Land Bill.

**SECOND READINGS.**

Law Practitioners Bill, Mining Companies Bill,  
Waste Lands Boards Continuance Bill.

**THIRD READINGS.**

Crown Redress Bill No. 2, Taranaki Smelting  
Works Bill, Cemeteries Management Bill, Lyttelton  
and Heathcote Recreation Bill, Canterbury  
Roads Ordinance Bill, Waste Lands Boards Continuance  
Bill, Law Practitioners Bill, Mining  
Companies Bill, Hokonui Education Reserves  
Bill.

**MACKEY'S WORK, MIDDLE ISLAND.**

The Hon. Mr. **NGATATA** asked the Hon. the Colonial Secretary, What progress has been made in the translation of Mr. Mackay's work on the Middle Island?

The Hon. Colonel **WHITMORE** said an abstract of the work had been translated into Maori by Mr. Baker, late Interpreter to the Council. The manuscript was now in the hands of the Clerk of the Council, and he supposed it would be placed on the table very shortly.

**WESTLAND AND NELSON COAL FIELDS BILL.**

The Hon. Colonel **WHITMORE**, in moving the second reading of this Bill, said it was the result of a great deal of consideration by the Waste Lands Committee in another place. On the West Coast there was a quantity of land comparatively useless for any purpose whatever, unless it was opened up in this way. This was not a proposal to burden the country with a debt, but to provide for the necessary management of the reserved lands in that part of the country which were now held by the Government as security for certain debts. This was a Bill which would require very attentive consideration in Committee, but the principle of the Bill was one which might be said to be in some degree decided by former legislation. Honorable gentlemen would recollect that years ago there was a proposition to promote communication with that part of the country by handing over land to the contractors for works. That was not exactly the mode proposed in this Bill for carrying out the works, but it was upon the same principle that the works had been done by the Government. It was proposed to render those districts believed to be metalliferous available and reproductive by means of further railway communication and other works, and to burden the land with the cost. He supposed that, in regular course, this Bill ought to go to the Waste Lands Committee. It was exhaustively considered in another place, but he imagined that that was not a reason why it should not be considered carefully by the Council. There was an absolute necessity to make better provision for the management of these lands, and to endeavour, by every means in their power, to open up the valuable coal fields which existed there, for the result of the use of West Coast coal had hitherto been so successful that there was every probability that, as they got deeper into the mines, they would be almost able to dispense with foreign coal altogether.

The Hon. Mr. **MANTELL** hoped the honorable gentleman would not neglect to press this Bill, if possible, through the Assembly during the present session. He was quite sure it was an absolute necessity, and he thought it would commend itself to the Council. It provided for the introduction of order where order was very much required, and where the want of such a Bill had retarded the utilization of the resources of the West Coast. He observed one feature in the Bill which he thought was objectionable, and which he hoped they would be able to get rid of. He referred to the presence of the Fifth Schedule.



Alterations of the law effected in this manner were liable to mislead. However, that was a minor matter, and could be attended to in Committee.

The Hon. Mr. HART asked the Colonial Secretary why under the 5th, 6th, and 7th clauses there was an appropriation of moneys which had been received since November, 1871, and which, probably, under the Acts now being repealed, might have been differently appropriated. Were those Acts to be repealed to that extent, or why should the Bill be made retrospective in this respect?

The Hon. Mr. LAHMANN, being more or less immediately interested in this Bill, as it concerned the district in which he resided, wished to say that he thought it went in the right direction. There was one thing in connection with the Bill which he could hardly make out. That was, why the railways constructed on the West Coast should be made to give security for the amount spent upon them. There were on the West Coast reserves which had been set aside by the Canterbury Provincial Council for the benefit of the navigation of the River Grey, and why those reserves should be held as security by the Government until such time as the revenue from the railways was sufficient to pay expenses he was at a loss to understand. He did not know any other part of the country where the waste lands of the Crown had been set aside as security for the cost of making the railways. The reserve mentioned in the First Schedule was made by the Provincial Council of Canterbury as early as 1863 or 1864, and was afterwards transferred to the County of Westland, and specially set aside for the improvement of the navigation of the River Grey. He found that by this Bill, as soon as the railway claims were satisfied, the reserve was to be handed over to the Harbour Board, provided such a body were in existence. He would like to hear from the Colonial Secretary why these reserves, which were set aside for the benefit of the river, should be held as security for the railways.

The Hon. Dr. POLLEN did not know whether this Bill should necessarily go to the Waste Lands Committee, inasmuch as the lands referred to were not waste lands, but were reserves set aside for specific purposes.

The Hon. the SPEAKER thought the Bill should be referred to the Waste Lands Committee in order to see that the reserves were properly made.

The Hon. Captain FRASER thought it was very desirable to ascertain whether the lessees had fulfilled their contracts. He expended a large sum of money on a coal mine on the West Coast. The persons connected with that coal mine were under a great disadvantage, for, having expended several thousand pounds, they could not carry out their contract, and the lease was at once annulled by the Provincial Government. He was under the impression that it would be found that a great number of these leases ought also to be annulled, for the reason that the contracts had not been fulfilled. He believed the lessees tried to raise companies in London to carry out the contracts,

but he understood they had failed, and he would recommend the Government to make very strict inquiries as to the position of the lessees and as to whether the contracts had been carried out.

The Hon. Colonel WHITMORE said he was not in a position at the present moment to answer satisfactorily the questions put to him in regard to the Bill, but, if the Council affirmed the principle, he would, in Committee, explain at length the points referred to.

Bill read a second time.

#### OAMARU HARBOUR BILL.

The Hon. Captain FRASER, in moving the second reading of this Bill, said it would never have made its appearance in the Council if it had not been for the recent change of Government. If the late Government had remained in office Mr. G. McLean would have introduced one of the best considered and most comprehensive Bills he had seen for some time. He must say that that Bill was a credit to the late Government. It was entitled, "An Act to provide for the General Control and Management of Harbours, for the Constitution of Harbour Boards, for the Regulation of Port Charges, Pilotage Dues and Rates, and for other matters relating to Navigation." The following were provisions of that Bill:—

"Every such Board shall consist of elective and non-elective persons, as may be prescribed by the special Act, and every such Act shall make provision for the first election of such elective members, and such other provisions as may be necessary to give effect to this Act and such special Act.

"Elective members' mean and include persons who are or may become members of a Harbour Board either by election of the ratepayers, or by the appointment of a local governing body or of any other body or association entitled to elect or appoint a member, and shall also include any member elected or appointed by the payers of dues or charges, or owners of vessels, or in any other manner where the member is not appointed by the Governor or is a member by virtue of his office.

"Non-elective members' mean all such persons as are or may become members of a Harbour Board upon the appointment or nomination of the Governor, or who are such members by virtue of their offices.

"The elective members shall hold office for one year from the date of the annual election, and on the second Monday in the month of February in each year there shall be an election of the elective members of the Board; and, subject to this Act and the special Act, all persons who were previously members of the Board shall be eligible for re-election.

"Where an elective member is required to be elected by the ratepayers entitled to elect members of a local governing body, then, subject to the provisions of this Act, the election of such member shall be held and conducted in the same manner, and the proceedings shall be the like as to the number of votes to be given, as are now or shall from time to time hereafter be required and

Hon. Mr. Mantell

provided with respect to the election of members of such local governing body.

"All elections of members of the Board who are required to be elected by the ratepayers as aforesaid shall be held in the manner provided by 'The Regulation of Local Elections Act, 1876,' which Act is hereby incorporated with this Act."

This Oamaru Bill was brought in for the purpose of carrying out the intention of the Bill prepared by the Government. At present the Oamaru Harbour Board had been in existence for he did not know how many years. It was a sort of perpetual succession. When one member died the Board recommended another person, who was nominated by the Government. He thought the time had come when they should ventilate this matter, and let in the popular element in the way of elected members. It was for that purpose that the Bill was introduced. The Bill provided,—

"The Oamaru Harbour Board (hereinafter called 'the Board') shall consist of ten members as hereinafter constituted. Five members of the Board shall respectively be the Mayor for the time being of the Borough of Oamaru, and one member selected by the County Council for the time being of the County of Waitaki, and one member selected by each of the Road Boards respectively of Waireka, Waitaki, and Kakanui. Two members of the Board shall be appointed by the Governor in Council in the month of February, one thousand eight hundred and seventy-eight, and in every third year thereafter, and notified in the *New Zealand Gazette*, who shall hold office for the period of three years from the date of such appointment. Three members of the Board shall be elected by and out of the ratepayers entitled to elect members of the Borough Council of Oamaru."

Those members would comprehend the whole District of Oamaru, all the producers, exporters, and importers. He endeavoured last session, when another Bill was before the Council, to make the Harbour Board elective, but unfortunately he failed. With regard to the present Board, he might say that by the Act of 1876 the present members went out of office on a certain day, but no provision was made for their successors. He therefore moved the second reading of this Bill. He was sure every honorable gentleman would see that the intention of the Bill proposed to be introduced by the late Government was one that would meet the approbation of every honorable member in the Council and of every honorable man out of doors.

The Hon. Colonel WHITMORE presumed there could be no objection to the passing of this Bill. It neither conferred borrowing powers nor did it give any endowment of land. It provided for an acknowledged want, and in such a direction as future legislation would be likely to go. He did not think there was any suspicious clause in the Bill.

The Hon. Mr. MILLER said it was quite true that the late Government intended to bring in a Bill very similar to this, but it was equally true that, the late Government having ceased to

exist, this Bill had been brought in by a private member, and, if he understood the feeling of honorable members who had addressed themselves to questions of this kind in the Council, he apprehended it was opposed to Bills dealing with questions of such large public interest as that involved in the present Bill being introduced by private members. There was no doubt that, if such a practice were allowed, legislation would be increased to an enormous extent, and the present case was particularly one in which action should be taken by the Government. Outside of the fact that a Bill with similar provisions was to have been introduced by the late Government, the history of this Bill was very curious, and if the Council would allow him to read a telegram which he had received on the previous evening they would see that there was something behind this Bill.

The Hon. Dr. POLLEN hoped the telegram was not from a Mayor.

The Hon. Mr. MILLER said in this instance the telegram was not from a Mayor. It was from the Chairman of the Oamaru Harbour Board. Honorable members would no doubt readily understand that he had been in communication with the Oamaru Harbour Board for a considerable time on this matter. He was anxious to ascertain their views and wishes as to the shape which any Bill would take affecting their re-constitution, and he had received a number of resolutions, which he did not think it was necessary for him to trouble the Council with at present. But he wished to point out that the history of this Bill was very remarkable. He would preface what he was going to say by informing the Council that he had no connection with the Oamaru Harbour Board at the present time. His connection with that body was severed, under a disqualification clause of the Act, owing to his having been six months away from the colony. At the same time, he must candidly confess he had a great deal of sympathy with that body, having had the privilege of presiding over its deliberations for something like eight years, and having had to take his share of responsibility for anything that was done during that time. Certain charges were brought against the Board about two years ago, and, although the circumstances had almost gone out of his memory, he could recollect that there was a public meeting, at which the members of the Board were denounced with a great deal of violence, and, in fact, were threatened with all kinds of pains and penalties. It would be quite unnecessary to go into the facts connected with those charges, and it would be sufficient to say that the members of the Board escaped scot-free with their lives, and were very thankful to be able to do so. That was to say, none of the charges were substantiated, and it was apparent that the meeting resulted from agitation of the description which they all knew it was not very difficult to get up. The telegram which he had received from the Chairman was as follows:—

"The Board regrets that, after its suggestion to Mr. Shrimski not to proceed with the Bill this session, it should still have been brought

forward, the more particularly as the constituency has not been consulted; and the Board think, if any change is deemed necessary, it should certainly have an opportunity of considering how the various interests should be represented and in what manner the members should be selected. Although Mr. Shrimski is a member of the Board, he has neither forwarded a reply to the Board's letter nor consulted the Board on the matter. A Board composed hastily of new members might act prejudicially to the interests of the trust. The Board is not desirous of standing in the way of a remodelling of its constitution in the proper manner and at the proper time, but, under all the circumstances, is of opinion that legislation should be deferred until next year. If, however, the Bill is pressed on, it is hoped that you will endeavour to carry the amendments previously telegraphed. The Board thinks it only right to state, for your information, that it was mentioned at the meeting of the Standing Committee that Mr. Shrimski made a bet at a public dinner table"—

The Hon. the SPEAKER thought that it was not desirable for the honorable member to read the remainder of the telegram.

The Hon. Mr. MILLER said the purport of the other part of the telegram was, that the Board, owing to a certain transaction which took place, did not consider that the Bill was being promoted in the spirit in which legislation affecting so large and important an interest should be approached. He wished the Council distinctly to understand that, having been connected with the Harbour of Oamaru for so many years, he felt that he should be to a certain extent guilty of a dereliction of duty if he did not put forward the views of the Board. He must say that there were some grounds for the indignation of the Board, for it could not be denied that the members of the Board were rather indignant that a Bill should be brought in by a private member, without their having been consulted in the least. This Board had been in existence for about ten years; it had most successfully carried out the objects for which it was constituted, and the works under its control; it prosecuted those works with great vigour and energy; it exercised the utmost economy in the administration of its funds; and, in fact, the results of its operations had been quoted as a very good example of what could be done by a local body. During the time that he had had the privilege of being connected with it, it was a body which was really animated by a sincere desire to work together in the public interest. Considering all these things, he sympathized with the Board a great deal in their desire to be consulted as to the provisions of any measure affecting their reconstitution. The Board was not opposed to being remodelled, but naturally thought that a measure which was to remodel it should at any rate be submitted to the members of the Board before introduction to the Legislature. They had performed their duties most faithfully without any remuneration whatever, because it must be borne in mind that ever since the Board was constituted none of its members had received

any remuneration at all. The only official salaries paid had been those of the Secretary and the Engineer, besides, of course, the persons engaged on the wharf. He was not aware whether the honorable gentleman who introduced the Bill was about to refer to any of those charges to which he (Mr. Miller) had made a slight reference, but he did not think the honorable gentleman would do so. They were past and gone, and he did not suppose that the Council, at any rate, would feel very willing to entertain them. At all events he did not think they would be willing to change the constitution of the Board merely because certain charges had been made which had not been proved or disproved in the Council. The Bill, with some alterations, might do very well, but it should certainly be referred to the Harbour Board, to enable the members to suggest any amendments which they might desire. The Bill provided that it was not to come into operation until some time during next year. He did not think that the interests of the country would suffer very much if this legislation were left over until next session: by so doing, ample time would be afforded for the suggestion of any amendments that might be thought necessary, and a tribute of respect would thereby be paid to a body which, considering the services it had rendered in the public interest, was entitled to some consideration. On these grounds he would move, That the Bill be read a second time that day three months.

The Hon. Sir F. DILLON BELL would second the amendment, although he approved of the principle which was intended to be carried out by the Bill, of changing the constitution of the Harbour Board, which was at present nominative, and infusing into it the elective principle. But the reason why he objected to the Bill in its present shape was because he could not see any fairness in Parliament first granting, as they did last year, a certain tenure of office to certain persons who were executing a public duty, and then proceeding to dismiss them without there having been any allegation of impropriety, or any reasons to show that the duties of the Board had been improperly performed, or that there had been any maladministration. Last year Parliament declared, in "The Oamaru Harbour Board Act, 1876," that "The present members of the Oamaru Harbour Board, constituted under 'The Oamaru Harbour Board Ordinance, 1874,' shall hold office till the first day of January, one thousand eight hundred and eighty, and no longer." If any members of the Council were executing a public duty under the law, would they feel it right that they should be summarily dismissed at the pleasure of a private member of Parliament, and without reason being assigned? He would himself feel very much aggrieved if he were treated in such a way. If he had been appointed to a situation of public trust, without emolument, and had done his best to perform the trust, and then suddenly found that some private member of Parliament had brought forward a Bill to dismiss him, he would certainly think it a very unfair proceeding, and would ask the Legislature to pause before casting what he would consider to be an undeserved slur upon him, unless, of course, it had been shown

*Hon. Mr. Miller*

that he had been guilty of some improper act. However, it was not even pretended by the Bill that it was necessary to make any immediate change. He was in favour of infusing the elective principle into the constitution of the Oamaru Harbour Board as well as into that of other Boards, but he thought it would be right, unless, indeed, the Government themselves assumed the responsibility of saying that the execution of the trust should be no longer confided to the Board which had been appointed, for the Council to pause before passing this Bill. The Bill did not pretend that any immediate change was necessary, for it proposed that the existing members should continue in office until March, 1878. Well, as it proposed to retain the present members until 1878, it would be ample time next session to make any new arrangement necessary, because it was impossible to suppose that in the month or two which would elapse between March, 1878, and the sitting of Parliament, there could be any serious harm done by the Board.

The Hon. Mr. ROBINSON would oppose the amendment. He had always taken a very great interest in the Oamaru Harbour Board. The Council had had many Bills before it, some of which had been different from the present Bill. He thought the Colonial Secretary did very well, in speaking on the Bill, to draw the attention of the Council to the fact that there was no endowment proposed. The Hon. Sir F. Dillon Bell told the Council that it would be doing great injustice if it replaced the present Board before 1880, inasmuch as they were appointed until that time. He (Mr. Robinson) did not think any great harm could be done to the Board. The Hon. Mr. Miller had told the Council that the members of the Board were serving without any emolument whatever. It appeared to be necessary for the members of the Board to give a great deal of time and attention to their duties, or otherwise the work would not be properly done. Therefore he did not think that anybody could contend that it would be a great hardship upon those gentlemen if they were called upon to give up an office of that kind, involving, as it did, so much work. The honorable gentleman had also told them that no reason had been shown why there should be a change in the constitution of the Board. No doubt the Hon. Captain Fraser, in reply, would give reasons why this sudden change should take place. Less than a year ago he (Mr. Robinson) visited Oamaru, and, having taken a great interest in the harbour, he inspected the wharf, which he certainly found to be a splendid structure, and the work appeared to have been admirably done. It was then still necessary to extend the wharf for a considerable distance. The Harbour Board was spending money at the time, and, as far as he could gather, there were great differences of opinion as to the way in which it was being expended. Instead of projecting the wharf a certain distance forward they were expending money in another direction, and he understood, from gentlemen in the neighbourhood who took great interest in the matter, and who had large properties there, that this money was not being rightly spent, and that it should have been de-

voted to carrying out the wharf instead of making other improvements. Since hearing that this Bill was coming before the Council he had looked over the Oamaru local papers to see if he could find anything about the Harbour Board, and he observed that very detailed accounts were given of its proceedings. The Hon. Mr. Miller told them that the Board had never received any remuneration whatever, and that none but those actually engaged in the construction of the wharf were paid. He was perfectly certain that the honorable gentleman fully believed that he was right in what he said, but the honorable gentleman had made a mistake, for on looking over the accounts it would be found that a good many pounds had been paid to the members of the Board. Some of those gentlemen had received as much as £3 in one week for attending the Harbour Board.

The Hon. Mr. MILLER, in explanation, said he had been away for two years, and of course was not aware whether money had been received by any members of the Board during that time; but during the eight years that he was Chairman of the Board no member ever received a single sixpence for anything whatever that he knew of.

The Hon. Mr. ROBINSON thought his honorable friend might have saved himself the trouble of an explanation, as he was perfectly certain that the honorable gentleman had only stated what he believed to be the case. He believed that the honorable gentleman had made a mistake, and that he would find that such was the case. There was originally another Board in Oamaru. There was a boating service, which had been suppressed owing to the superior accommodation which had been provided by the construction of the jetty. As far as he could make out, that original Harbour Board was principally constituted of the same gentlemen who composed the present Harbour Board.

The Hon. Mr. MILLER rose to a point of order. The honorable gentleman was, he submitted, not in order in going into charges made against the Harbour Board two years ago, and which had not been proved.

The Hon. Mr. ROBINSON said he had made no charge. His honorable friend Sir F. Dillon Bell urged that the Bill should not pass because no reason had been shown why the present Board should be superseded, and if he (Mr. Robinson) endeavoured to show that such reasons did exist he presumed his remarks would be pertinent to the question. He was proceeding to say that when he was last at Oamaru there appeared to be great dissatisfaction with the action of the Board. He was about to go into facts, and was stating that when there was a boat service at Oamaru the Board was constituted of the same gentlemen who now chiefly composed the Harbour Board. A great many transactions took place at the time the change was made. The original Board had a plant consisting of boats and other things necessary for a boating service. Those boats were disposed of when the present service came into use. There was another gentleman from Oamaru (Mr. Holmes) present, who would have an opportunity of informing the Council as

to the facts to which he (Mr. Robinson) would draw attention. This plant was disposed of, as he understood, by the original Harbour Board to the existing Board.

The Hon. Mr. MILLER.—No, from the boating company.

The Hon. Mr. ROBINSON.—From the boating company, which sold them to the present Harbour Board; and, as he had said, the original Board was composed principally of the same gentlemen who now constituted the Harbour Board. He had been looking over these accounts, and he knew something about boating services and the value of the plant that would be required for a place like Oamaru. It was true that the members of the Board might not have received any direct remuneration, but they had received something indirectly. It must be borne in mind that the construction of the present harbour rendered the old plant perfectly useless. He did not think there was any other body in the country that would have come forward to purchase the plant, and yet he found that it was sold for £1,640 11s. 6d. Now, that seemed a very large item. This Harbour Board was a most liberal body, and the Parliament had very liberally endowed it, and it was the duty of the Council to see how that money had been expended. The Governor visited Oamaru, where he was treated very loyally. He quite agreed with the manner in which His Excellency was received, but he demurred a little to the way in which the funds were provided on that occasion. When the Governor visited a town the town ought to provide the funds, and not a small Board. He found, on looking over the accounts, that the Harbour Board paid a sum of £54 8s., on the occasion of the Governor's visit, for champagne and beer, and that they also paid £68 8s. for a luncheon which was given to His Excellency. Now he did not think that the Board had a right to expend the money which had been so liberally given to them in this way. The Council had now become a little chary of endowing these Harbour Boards, and he hoped they would continue to exercise every precaution in this respect; and the case which he had just quoted afforded a reason why they should consider twice before giving money to Harbour Boards which expended their funds in the direction he had just mentioned. His honorable friend Mr. Miller went to England, and a reference to that fact was contained in the accounts of the Board. His honorable friend no doubt had a good deal of sympathy for this Board, and he (Mr. Robinson) admired any gentleman who was faithful to his colleagues. Every one ought to be so, and his honorable friend had very great occasion to sympathize with both the past and the present Board. He found an item in the accounts for "Champagne, the Hon. Mr. Miller on his departure to England, £4 7s. 6d." He should like to have been present on that occasion, which was no doubt a very pleasant and agreeable one. He could almost imagine the members of the Board toasting his honorable friend, and drinking his "jolly good health," wishing him and his family a safe and pleasant passage

*Hon. Mr. Robinson*

to England and a speedy return, and winding up with "For he's a jolly good fellow," a sentiment in which, he was sure, every gentleman in the Council would agree. They all agreed that he was a right jolly good fellow; but he did not think many of them would agree to this mode of paying the piper. He did not think any of them, as public men, would care that public funds should be so appropriated. It was strange how nicely they calculated the amount necessary to be expended on occasions of this kind. They seemed to reduce the cost to fractions. On the occasion of the departure of the Hon. Mr. Miller the beer and champagne cost £4 7s. 6d., and on the occasion of Mr. McLean leaving the colony the cost for refreshments amounted to £3 18s. 6d. It might be all very well to laugh at these things, but there was a serious aspect to them. The principle was wrong, and he was sure that even the Hon. Sir F. Dillon Bell would begin to think there was some reason why they should have another Board before 1880. He did not think that the public funds should be squandered in such a way. The colony was beginning to get hard-up and to study economy, and he thought if the Harbour Board wanted champagne they should pay for it on their own account. He thought it was highly desirable to have an elected Board for the management of these works. The honorable gentleman who introduced the Bill showed that there was a large district which was interested in the harbour quite as much as the town, and he did not see, for the life of him, what reasons could be urged against the Bill, except such as were urged by the Hon. Mr. Miller, and which, to his mind, amounted to nothing at all—it was nothing more from beginning to end but an appeal for his late colleagues. He hoped the Council would not agree to the amendment, but would read the Bill.

The Hon. Mr. MILLER wished to make an explanation. It was perfectly true that the Harbour Board, after about eight or nine years of rigid economy, had launched into the extravagance to which the Hon. Mr. Robinson had referred. They had indulged in the extravagance of entertaining His Excellency the Governor at lunch, for which the sum of £110 had been paid.

The Hon. Mr. ROBINSON thought the honorable gentleman was making a speech in reply to what he had said.

The Hon. the SPEAKER said, if the honorable gentleman were allowed to make an explanation, he should direct his observations to the question as it affected him personally.

The Hon. Mr. MILLER felt himself to be personally interested, because he was one of the members who voted for this lunch to His Excellency the Governor. He wished to explain how it was that they incurred that expenditure. The Municipal Corporation would not do it, or had no funds, and the Board determined that the Governor should be properly entertained. He believed the Hon. Dr. Pollen was responsible for having drunk some of that champagne—

The Hon. Colonel KENNY said it was time to put a stop to the honorable gentleman's remarks. It might be a very good joke for those

who came from the district concerned, but he did not think such jokes were proper in a public body like the Council. The question was with regard to the Bill before them.

The Hon. the SPEAKER, having already ruled that the honorable gentleman should confine himself to the personal question, thought that the honorable gentleman should now stop.

The Hon. Mr. HART said that, when a body like this had been constituted by Act to endure for a particular period, the statement of what had occurred two years previously, or one year previously, to the passing of the Act, was, he thought, not a sufficient reason for the proposed alteration of the constitution of the Board. He did not think sufficient reason had been shown to justify them in passing a Bill which would throw a slur upon a body of men who had faithfully executed a public duty, and without there having been the slightest intimation to the Board that any such Bill would be applied for. They had had no communication from the people residing in the district requesting an alteration, and he did not think that it was right to take such action at the instance of a single individual who happened to have a seat in the Council. It would be a different matter if there were charges of incapacity or unfitness brought against the members of the present Board. With reference to the expenditure which had been described by the Hon. Mr. Robinson, he would ask, what guarantee had they that if a popularly-elected Board were constituted it would not be led into similar indulgences? They knew that popular bodies sometimes spent money in this way, and he believed that complaints were made in the papers of Wellington of a somewhat similar expenditure at the polling-booths. His objection to the Bill was shortly this: that, when Parliament created a trust, and gave a term to that trust, it would be establishing a very bad precedent if they altered the constitution of such a body without any really well-founded complaints having been made against its members.

The Hon. Mr. HALL said the Hon. Mr. Hart had expressed better than he could have done the reason why, after listening to the debate, he would be inclined to vote for the amendment. He had only one other consideration to urge: that was that, even if they were satisfied the change was desirable, he did not think they should proceed to reorganize the Board on a different basis, and lay down a plan upon which the Board should in future be elected, without giving the Board itself and the people of the locality a proper opportunity of considering the matter and of being heard in Parliament, before they arrived at a decision. For these reasons he felt bound to support the amendment.

The Hon. Mr. BUCKLEY quite agreed with the remarks of the Hon. Mr. Hall and the Hon. Mr. Hart. He hoped the Council would not lend itself to the gratification of petty spite on the part of a member of the Board, who had introduced this Bill into Parliament.

The Hon. Mr. PEACOCK said that the promoter of this Bill in another place came from the part of the country interested, and surely he had

a perfect right to introduce such a measure. That honorable gentleman might well believe that it was his duty to introduce such a measure, because the members of this Board had been in office since 1870, and the people desired a change so as to have an elective element. The honorable gentleman who introduced the Bill into this Council said the late Government had a Bill prepared which would have carried out the very same object as was intended to be served by this Bill, so that they must have considered that the provisions of this Bill were necessary. He did not think it was necessary to urge in favour of this Bill that the present members of the Board had done anything wrong.

The Hon. Mr. MANTELL said the honorable member who had just spoken had supplied him with another reason, over and above those he had heard urged by the Hon. Mr. Hart and the Hon. Mr. Hall, for voting for the amendment. That honorable gentleman, without knowing or having heard of any malfeasance on the part of the present Board, assumed, from the introduction of this Bill by a member of the Board in another place, that he must have good grounds for doing so. He must say that to pass this Bill would be doing scanty justice to gentlemen who had faithfully served the public for a very long time. With regard to the question of champagne, they knew that such things occurred again and again; and, seeing that this expenditure took place on such fitting occasions as the visit of the representative of Her Majesty, the departure of the worthy Chairman, who, the Council were in a position to know, had always displayed great zeal in the cause of the Harbour Board, they having almost winced under it in previous sessions, and on the departure of their old and respected colleague, the Hon. John McLean, he did not think this little expenditure should be considered of much importance by the Council. They knew that those gentlemen had undertaken a very arduous work, and had done it well. He agreed with the Hon. Mr. Hart that when a Board was constituted by Statute for a certain period, and when there was no allegation whatever against it, but, on the contrary, everything in its favour, it would be most discourteous and improper for the Legislature to sanction such a Bill as the one now before them.

The Hon. Colonel WHITMORE said that the bitterness of this proposal seemed to be that it was one of the members of the Board who had barbed the arrow against that body; but he thought that it was a good proof of the public spirit of that gentleman that, in obedience to the wish of his constituents, whom he believed to be the people of Oamaru, he brought forward this Bill that would end in his own destruction. He had good authority for stating that the two representatives of Oamaru and all the members in another place belonging to the provincial district in which Oamaru was situated were at one as to the necessity of this change. If that were the case there must be something more than met the eye in the position of the Harbour Board which rendered the people anxious for a change. He did not exactly remember the circumstances under which they made this unusual provision

last year. The only reason he could assign for their having made it was, perhaps, because it was their good fortune to have Oamaru rather over-represented in the Council, and that they had a very high opinion of the two members from Oamaru who sat in that Council. For that reason, probably, they entertained similarly high opinions of the Harbour Board, which, he was sorry to say, under the present circumstances, were not shared by the people of Oamaru. If the Government had carried on the Bill of the late Government the members of the Board would have gone out of office. Although the Government were unable to consent to bring in that Bill themselves, still when this Bill was submitted to them they were prepared to accept it and support it, because they considered that it was only a step in the same direction as legislation must follow in the future. There was an agitation in Oamaru to have the constitution of the Board altered notwithstanding that the Legislature had named a particular period for the existence of the Harbour Board; and, in fair regard to the wishes of the inhabitants, they ought not to refuse to make a change in that direction when it was earnestly asked for by the representatives of the people, who ought to be well informed on the subject. He did not think there was much in the champagne business. He would go so far as to say that the Harbour Board were worth nothing at all if they could not pay for a little champagne for the Governor. He did not object to that at all. He suspected it was not on account of the champagne that the Legislature was asked to change the constitution of the Board, but he thought there was a tendency in all these bodies which were so long in office to get a little lazy, to rest a little on their laurels; and new brooms might sweep a little cleaner, perhaps. He would be sorry to accuse the Hon. Mr. Miller's late colleagues of anything, but he could not resist the conclusion that there was a screw loose somewhere; and they would be doing as the people of Oamaru wished, and as they ought to do, if they made the change they were requested to make by this Bill.

The Hon. Dr. POLLEN had the good fortune, on the occasion to which the Hon. Mr. Robinson referred, to partake of the hospitality of the Harbour Board of Oamaru. A wharf was opened there in the presence of His Excellency the Governor. He remembered that this wharf was baptized in champagne, and received the name of "Macandrew." The occasion, unfortunately, was fixed in his memory by a very sinister accident, which was, that a vessel which lay alongside, gaily decorated for the occasion, left her bones on the outside of the wharf twenty-four hours after the auspicious event. He had the most agreeable recollection of the entertainment, and he was not at all prepared to admit that the champagne, which was the sign of hospitality and welcome, should be a cause of offence against the Harbour Board. He would not be able to support the Bill because it had been put forward in that shape. It was in his recollection that on the occasion referred to it was not the Harbour Board that invited His Excellency to Oamaru, but

*Hon. Colonel Whitmore*

it was the whole of the people of Oamaru; and the Harbour Board was not acting in its corporate capacity, but simply as the exponent of the general sentiment of hospitality. He was not at all able to accept that as a reason why a Bill should be brought in for the purpose of doing away with that Harbour Board. As the Hon. Captain Fraser had said, a Harbour Bill of a general character was to have been brought in, and would have been introduced to the Council by himself had it not been that it was beyond the powers of the Council to impose certain dues which were provided for in that Bill. If that Bill were brought in next year, he did not doubt that those persons interested in the prosperity of the Harbour of Oamaru could have such a change as they desired in the constitution and administration of the Harbour Board. He thought it would be an ungracious proceeding on the part of the Legislature to condemn—for this Bill was a practical condemnation—the Harbour Board by dismissing its members on the evidence which had been supplied to the Council.

The Hon. Mr. HOLMES thought he could throw some light on the fact that no change took place last year in the constitution of the Board when an endowment was given to it. There was such a prejudice against Harbour Boards generally that the great object was to get this Oamaru Bill passed in any shape, in order to secure the endowment, without any reference to an alteration in the constitution of the Board. He himself wished to alter the constitution of the Board last year, but the Hon. Mr. Campbell, who was in charge of the Bill, begged of him not to attempt to make any amendment, because if they began to alter the Bill the result might be fatal to it altogether. On that understanding he said nothing about it, but he was free at any moment to bring in a Bill to alter the constitution of the Board. He had no intention to say anything to the prejudice of the Oamaru Harbour Board, or to accuse it of malfeasance of office, but he maintained that in the interests of the district it was desirable that this change should take place. Nine-tenths of the Oamaru people were absolutely dependent upon the people in the surrounding district for food and raiment, and yet the people in that surrounding district were not represented on the Board. The members of the Board were all nominated at the instance of parties residing in the town. There was the great County of Waitaki, extending a hundred miles inland, which was not represented on the Board, and other large agricultural areas were equally unrepresented, such as the Waitaki Road District, the Waikaka Road District, and the Kakanui Road District. Was it to be supposed that they had not a right to representation as good as, or better than, the town of Oamaru? The people in the surrounding districts were those who produced most of the exports and consumed most of the imports. On that account he believed it was the bounden duty of the Council to pass this Bill and give representation to the people referred to. If the present members of the Board were worthy of holding their seats they would get on the Board again, because the proposed constitution of the Board was such that

every one of them who had the confidence of his fellows in the locality might have a seat on the Board—there would be nothing to prevent it. The Board was neither better nor worse than other institutions of the kind; but in his opinion a change was absolutely necessary. He believed this was a unique instance of a Harbour Board in regard to its constitution. He had just looked over the constitutions of the different Harbour Boards throughout the colony, and he found that in every case they were formed on a somewhat similar basis to that proposed to this Bill: for example, Otago, Lyttelton, Auckland, Wellington, Timaru, the Bluff, &c. There was just one point that had occurred to him in connection with this Bill, and he wished to bring it before the Council. It was of infinitely wider scope than the question of the Oamaru Harbour Board. It was the fact of Parliament granting endowments of land and money and then leaving persons to do as they pleased with them. The Hon. Mr. Robinson had referred to a complaint that the breakwater had not been carried out with the money that was voted by Parliament last session. For several months after that vote had been given and the endowment granted the work on the main breakwater was at a standstill, he could not tell for what reason; but it was a most singular fact that at the very same time a jetty or wharf was being carried on with vigour inside the main breakwater for the accommodation of small vessels. When he voted for the 65,000-acre endowment it was his firm belief that every shilling of the money would go to extend the breakwater. In speaking on the subject, one of the reasons he gave was that the breakwater was of such essential service that it would be an advantage to the whole colony, as the harbour would be more or less a harbour of refuge; and on that account he thought it had a claim on the Government. But here they found a portion of the money devoted to another purpose altogether. The thought that occurred to him was this: that it was high time the Government appointed a Commission, or an officer in whom they had confidence, to see that the money and endowments given for those harbour works were devoted to the precise purpose for which they were granted. He thought that was a consideration which ought to meet with some favour from the Government, because there was no telling what might be done with the money if some surveillance were not exercised. He would vote for this Bill because he believed that the people of Oamaru generally, and the people of the district in particular, would look upon it as a good measure. It could not fail to meet the wishes of the people because it would give them an opportunity of placing on the Board those persons who most enjoyed their confidence. He thought changes in old-established bodies like this one were great improvements, by letting new light into them, and he hoped the Bill would be allowed to pass its second reading.

The Hon. Mr. MENZIES indorsed the view of the Hon. Mr. Hart, that the Council should not take action in this matter without some very distinct and decided opinion on the part of the

people of Oamaru. He would have been quite willing to support the proposition to alter the constitution of the Board as proposed in the Bill to which the Hon. Captain Fraser had referred had it been brought under the consideration of the Legislature, because he thought an alteration in that direction would be calculated to give more satisfaction than the constitution of the Board as it at present existed; but he did not think they ought to make an invidious exception of the case of this particular Board by making the alteration which this Bill would effect, at the instance, so far as they knew, of only one or two members of the Assembly, and not at the desire, unequivocally expressed, of the community of Oamaru, who had the greatest interest in the question. Various points had been raised by honorable members in order to establish the assertion that the Harbour Board had misapplied money and generally misconducted its affairs, and circumstances had been referred to which occurred several years ago. The Council must bear in remembrance that in the course of the last session an opportunity was afforded to those who felt that the action of the Board had been improper to effect an alteration in its constitution; but, so far from their having endeavoured to effect any alteration so as to popularize the constitution of the Board, which he conceived would have been a step in the right direction, what took place? A clause was interjected into the Oamaru Harbour Act, apparently out of place, and not at all in harmony with the rest of the Bill, to provide that this Board should continue under its present constitution for four years longer. In the face of that deliberate provision he did not think the Council would be justified, without some strong expression of opinion in that direction from the community, to make the alteration proposed, unless that alteration were made in some general measure whereby the constitution of all the several Boards was similarly treated. If a provision had been introduced under these circumstances, or at the desire of the community, he would have supported it; but as the matter now stood he felt bound to vote for the amendment.

The Hon. Captain FRASER said it was by a mere accident that the general Bill had not been brought in as a Government measure, and in the form in which this Bill had been introduced it was impossible that it could be brought into operation on the 1st January, so that he could not see the force of the argument used by the Hon. Sir F. Dillon Bell, that this was a reproach and a reflection upon the Board. He told the Hon. Mr. Miller in the morning that he was not going to touch upon any charges against the Harbour Board. There was no doubt charges had been made, and he believed that if the Bill had been before a Select Committee it would not have been recommended to be passed. He would like the Hon. Mr. Wilson's opinion on a point in connection with this matter. They granted a very valuable tract of land called the Esplanade to the Harbour Board. The Board did not, however, require the whole of it, and disposed of part by auction on long leases. The contractors, as



trustees, in many instances, bought these leases which were made at the expense of the trust. Now, he was not a lawyer, but it struck him that that was an illegal act.

The Hon. Mr. MANTELL asked whether the honorable gentleman could introduce new matter in reply.

The Hon. the SPEAKER said the honorable gentleman could not do so.

The Hon. Captain FRASER remarked that it was part of his reply—he was showing why the members of the present Board were not worthy of the position they held. Of course if the feeling of the Council was against him it was no use his continuing. Honorable members seemed to be influenced by personal feeling.

Question put, "That the word 'now,' proposed to be left out, stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	16
Majority against...	...	...	...	...	4

#### AYES.

Captain Baillie,	Mr. Pharazyn,
Mr. Chamberlin,	Mr. Robinson,
Captain Fraser,	Mr. Russell,
Mr. Holmes,	Colonel Whitmore,
Lieut.-Colonel Kenny,	Mr. Williamson,
Mr. Ngatata,	Mr. Wilson.

#### NOES.

Sir F. Dillon Bell,	Mr. Menzies,
Mr. Buckley,	Mr. Miller,
Mr. Edwards,	Mr. Nurse,
Mr. Hall,	Mr. Paterson,
Mr. Hart,	Mr. Peter,
Mr. G. B. Johnson,	Dr. Pollen,
Mr. Lehmann,	Major Richmond, C.B.,
Mr. Mantell,	Mr. Wigley.

The amendment was consequently agreed to, and the Bill ordered to be read a second time that day three months.

#### PUBLIC LIBRARIES BILL.

The Hon. Mr. HALL, in moving the second reading of this Bill, said its object was to provide a mode for distributing the sum of £5,000, which was on the Estimates, and had, he believed, been passed, for public libraries throughout the colony. It was thought desirable that the distribution of that grant should not be left to the absolute discretion of the Government of the day, but that Parliament should express its opinion as to the manner in which it should be divided. The rule on the subject which this Bill proposed to lay down was that, in the case of public libraries established by municipal or other local bodies who had the power of rating, there should be paid a sum equal to the amount raised by means of the library rate under "The Public Libraries Act, 1869." So much with regard to public libraries established under "The Public Libraries Act, 1869." With regard to the other libraries, commonly known as subscription libraries, which would be generally found in country districts, the

*Hon. Captain Fraser*

Bill provided that the sum available should be divided by the Colonial Treasurer among them in proportion to their subscriptions, that the share given to each education district should be entrusted to the Education Board thereof, and that that Board might distribute it in books or in cash as it thought fit. It did not say that absolutely the same amount as the subscriptions should be distributed, for of course they could not tell whether the amount of £5,000 would be sufficient to enable them to grant to each library a sum equal to that which it raised by subscription. He trusted it would be acknowledged that this was a fair mode of distribution, and that it was desirable that Parliament should lay down some rule on the subject, and relieve the Government from the whole duty of distributing the grants. The last clause provided for admission free of charge to all libraries established and supported under the Act. He drew attention to this clause because he thought it right that honorable gentlemen should consider it before the Bill went into Committee. There was no doubt that differences of opinion might exist as to the expediency of such a clause, and as to its being desirable to insist that these country subscription-libraries should be open to the public free of charge.

Bill read a second time.

#### CROWN REDRESS BILL No. 1.

The Hon. Mr. MANTELL, in moving the second reading of this Bill, said he was not going to detain the Council long in laying this measure before them, for reasons which he would presently state. Towards the close of last session this Bill, in the state in which it was when introduced into the other Chamber this year, and before it was amended there, was introduced into the Council and read a second time at a period of the session too late for its committal and further consideration. This session it was first introduced by Mr. Taiaroa in the other Chamber, and he had been requested by that honorable gentleman to undertake the charge of it in the Council. All he asked the Council to do on this occasion was to reaffirm the principle which they affirmed last session with regard to this Bill—that was, that an opportunity should be afforded to Natives who had, or imagined they had, claims or grievances to be heard, to have their claims equitably settled. He doubted very much whether the measure as originally introduced by him last session would have effected the purpose in view, but in its present shape, amended as it had been elsewhere, it would be even still worse. Therefore all he asked the Council to do in the matter on this occasion was to permit the Bill to be read a second time, and if it was read a second time he would name such a day for the committal of the Bill as would render it very improbable that the Council would agree to go on with it further during the present session.

The Hon. Sir F. DILLON BELL said there was a part of this Bill which he was not able to understand, and perhaps the Hon. Mr. Wilson would be able to say what would be the effect of the words employed in the Act. It appeared to

him that what the other House of Parliament had done was to set up a Court which was to be authorized to deal with these cases, and then to declare that the jury might award compensation; but, unless the words of the 20th clause made it imperative on the Treasurer to pay, he did not know how the award agreed to was to be enforced. The clause said,—

“It shall not be lawful for the Governor to obey or satisfy or in any way to compound for or in respect of the order, decree, or judgment so to be made as aforesaid until after the prorogation of the session of the General Assembly of New Zealand which shall be held next after the making of the order, decree, or judgment by the said Supreme Court, or, if an appeal shall be prosecuted to the Court of Appeal, then not until after the prorogation of the session of the General Assembly which shall be held next after the making of a final order, judgment, or decree upon such appeal.”

It appeared to him that that did not order payment to be made.

The Hon. Mr. WILSON said the effect of the provision was that, in case of an action against the Crown, no judgment should be effective until appropriation was made by Parliament. That was shown by the 18th and 20th clauses, which provided that no effect should be given to a judgment until after the meeting of the next session of the Assembly.

The Hon. Dr. POLLEN said that, if the principle which was sought to be affirmed by this Bill was to afford as fair a hearing to the Natives concerned as would be the case if Europeans were affected, he would give his firm adhesion to the proposal; but if the examination of those claims was to be taken upon the principle laid down in the 17th clause of this Bill he would say that the Bill ought not to be passed. The Native claims in the South Island were not new. In one shape or another they had been kept before the Assembly by the persevering industry of the honorable gentleman who represented the Southern Natives in another place for a great many years. He believed that if they had been less extravagantly stated, if the amount of damage said to have been caused had been stated in a more reasonable way, probably greater attention would have been bestowed upon these claims than had been given to them up to the present time. He objected to a Bill of the same character introduced by the Hon. Mr. Mantell last year, on the ground that it appeared to him that it would necessarily involve the Natives in a very considerable expense for the purpose of ascertaining their title and of having their cases heard, and that when the facts of the case were ascertained they might prove to be nothing more than facts which were admitted, and which might be ascertained in a much easier and less expensive way. He himself promised on behalf of the Government that steps would be taken to have an inquiry in the course of the year into these claims, and that a report on the subject would be presented to Parliament. His regretted colleague the late Native Minister did make an effort to constitute a Commission of

inquiry into those claims, but he was not successful in inducing the Chief Judge of the Native Land Court to undertake the task. In consequence of the very severe pressure of work of another kind he was obliged to postpone the inquiry. The Natives who were interested in this Bill appeared very strongly to desire that the facts of the case should be ascertained officially, and that they should go into the Supreme Court and have them ascertained in the ordinary course. He understood they greatly preferred that mode of procedure to the one proposed by the Government, which was that the facts should be ascertained by a Commission; and to that, with the protection which this Bill proposed to give, he thought there would be no objection. If the Bill had been allowed to remain in the form in which it was originally introduced he would himself make no objection to it, but with the limitation introduced into the 17th clause such a procedure under this Bill would be purely a mistake. The facts might be ascertained, but nothing in the shape of substantial justice could be done under the provisions of this Act. The Bill in its present form was to that extent a sham. The claims were based upon promises alleged to have been made, and which no doubt were made, by the purchasers of land for the New Zealand Company, in accordance with the policy that they always adopted in regard to the purchase of lands from the Natives. The doctrine they held was that the payment they made for the land at the time of purchase was not to be regarded as the price. The real price of the land consisted in the reservations they were to make for the Natives, and in the largely-increased prospective value which those reserves would acquire by the process of settlement; and in those reserves a provision was to be made for the future wants of the Natives—provision for their schools, for medical assistance, for education, and for their general advancement. In this particular instance, as in others, the payment that the Natives received in money was to be regarded as a very small portion of the value they were to receive for the land. Under those circumstances, supposing it were found that those promises were made, and that the Natives were entitled to the advantages that had been promised to them, to say now that that payment should be measured by the value of the land at the time the purchase was made—that was to say, by making the price paid by the Government something less than a fraction of a farthing per acre—and to say that that would be equitable compensation for the rights that they claimed, was to his mind tantamount to saying that the Natives were to receive something worse than nothing. He would be sorry under any circumstances if the Council should be induced to pass the Bill in its present shape. He still thought it would be very much better for the Natives to trust to the care of the Government for their interests, and to the liberality of Parliament for carrying out the views of the Government, after a careful inquiry into the facts, than to go into a Court of justice with such a Bill as was proposed here.

The Hon. Mr. MANTELL said the Hon. Dr.

Pollen had supplemented what he had said with his usual ability and accuracy. However, as there appeared to be some little misunderstanding in the minds of well-informed members of the Council as regarded the nature of those claims, he would take two or three minutes to describe what they were. In the first place, the promises in connection with the Ngaitoa Block, and distinctly in regard to the Otago Block, involved as many as 500,000 acres. With regard to that, the evidence was very plain. The stipulation for the one-tenth was not inserted in the deed, and it was simply a parol promise. However, that did not appear to weigh with the Executive Government, because, when making the survey, those reserves were laid off. At that time Captain Fitzroy was Governor of the colony, and the Hon. Major Richmond was Superintendent of the southern division of New Munster. When reporting the manner in which he was conducting his duties, the Hon. Major Richmond recommended to the Governor that, inasmuch as the surveys were being completed, the survey of the Native reserves ought to be completed also, and that Captain Symonds should be told off for the duty. However, an accident occurred, and a grant was made to the New Zealand Company of this block without any reference whatever being made to the reserves. Then, with regard to Kemp's purchase, in order to induce the Natives to come under the deed when they found that some land had been included which they did not agree to sell, they were promised, on the authority of the Government, that they should have schools and hospitals established, and officers appointed to take care of them. A third claim included in this Bill was, that in those large purchases there were certain portions of land not intended to be included. That was a claim which the Natives would have to substantiate. Of course he (Mr. Mantell), as agent for the buyers, had his view of what he intended to purchase, and the Natives, as sellers, might have had a different idea as to what they intended to sell. His idea was that he bought all within the boundaries marked on the map: the Natives' allegation was that he could not buy anything more than he saw. The Government lent their countenance to that view by subsequently repurchasing from the Natives the west coast of the Middle Island. However, that was a claim that the Natives would have to substantiate. The details of this Bill would not give the Natives an opportunity of substantiating their claims: on the contrary, he would dread the passing of this measure as it stood, because he saw plainly—and he warned the honorable gentleman who introduced the Bill in the other House of this—that, inasmuch as the Act was only to continue in force until the 21st December, 1880, and inasmuch as it was known that those poor fellows had deposited in a bank £23,000 by way of starting legal proceedings, the ingenuity, and patriotism, and philanthropy of the legal profession would be excited to such an extent that, hopeless as it was for the Natives to expect justice under this Act, they would be advised on good legal authority to initiate proceedings, although the Act would lapse before

*Hon. Mr. Mantell*

they could get any advantage from those proceedings. Therefore, if the Bill passed, he felt absolutely confident that the only result would be the payment of a large bill of costs on the part of the Natives, who would obtain no remedy whatever. He would simply ask the Council to affirm the principle of the Bill by consenting to the second reading, and would name a distant day for the committal.

Bill read a second time.

#### NAPIER SWAMP BILL.

The Hon. Colonel WHITMORE, in moving the second reading of this Bill, said honorable gentlemen must be aware that in the middle of the Township of Napier there was a large swamp, or shallow lagoon, into which all the drainage of the town was deposited, and which, especially in the warm season, was exceedingly unwholesome. It had been impossible for a number of years to fill in this lagoon on account of the circumstance that in the early days all the swamp was laid off in sections, which were chiefly purchased by absentees. In the year 1875 the nuisance arising from the swamp had become so serious to the population, and had so largely affected the health of the borough, that it was found necessary to bring in a Bill to give the Corporation power to fill in the swamp compulsorily if the owners refused to fill in their sections, and, in the event of the owners not paying the cost of filling in, to sell the sections and recover the cost. This was one of those interferences with private rights which could only be justified by the urgency of the case; and the Legislature, after carefully considering the matter, came to the conclusion that a good case for interference had been made out, and that it was absolutely necessary, for the preservation of the public health, to take the action he had referred to. The law worked exceedingly well, and the owners of most of the sections, or their representatives, had turned up. It transpired that a great many of the sections had been held as a speculation by persons who, when pressed a little, came forward and filled in their sections. However, the Corporation had been unable to complete the work owing to the circumstance that some of the owners insisted upon the streets being made before they filled in their sections. The streets were nearly all made, a good number of the sections had been filled in, and the work was rapidly being completed, to the great advantage of the municipality. But it unfortunately happened that this work had taken some time, and it was within a day of overlapping the period which was allowed for the exercise of the compulsory powers. It was therefore necessary to make application to Parliament to extend the period allowed by the Act of 1875. This circumstance had been overlooked until the very last moment, when application was made to the Government to give assistance to the Corporation in this respect. The other branch of the Legislature had been asked to suspend the Standing Orders and pass the Bill through all its stages, which it had done, and he would ask the Council to show the same consideration to this municipality.

Bill read a second time, considered in Committee, reported with amendment, which was agreed to, and the Bill read a third time.

The Council adjourned at half-past eleven o'clock p.m.

## HOUSE OF REPRESENTATIVES.

*Thursday, 29th November, 1877.*

First Readings—Second Readings—Third Readings—Representation—Lyttelton Gaol Prisoner—Moore, Hutchison, and Others—H. Rapu—Ministerial Residences—Taranaki Smelting Works Bill—Civil List Bill—Land Bill—Civil List Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

### PRAYERS.

### FIRST READINGS.

Stamp Bill, West Harbour Mayoralty Bill, Napier Swamp Bill, Canterbury Roads Bill.

### SECOND READINGS.

Waste Lands Boards Bill, Napier Swamp Bill, Greenwood Pension Bill.

### THIRD READINGS.

Waste Lands Boards Bill, Napier Swamp Bill, Greenwood Pension Bill.

### REPRESENTATION.

Mr. FITZROY asked the Government, Whether it is their intention to introduce a new Representation Act next session? Also, whether, on the passing of such an Act, they propose to ask for the dissolution of the present Parliament?

Sir G. GREY replied that he had already stated to the House that the Government were preparing a Representation Act for the purpose of laying it before Parliament next session. He did not altogether understand the second question, but the Government would follow the constitutional course in such cases.

### LYTTELTON GAOL PRISONER.

Mr. STEVENS asked the Minister of Justice, Whether there is any truth in a report appearing in the public papers, that a man incarcerated in the Lyttelton Gaol, and pronounced by the District Medical Officer to be a dangerous lunatic, was still allowed to remain an inmate of the gaol, although the medical officer had advised his immediate removal to the Asylum, and repeated representations had been made to the authorities in Wellington to that effect? He had been induced to put this question on the Order Paper in consequence of having noticed some reports in the papers with regard to the retention of a prisoner in the Lyttelton Gaol who was stated to be of unsound mind. He would be glad to learn from the Government whether there was any foundation for the statement contained in those reports.

Mr. SHEEHAN said there was no foundation whatever for the report. There was a prisoner in

the gaol referred to whose conduct was of a very strange character. He appeared to have been influenced by a desire to get the authorities to believe that he was insane. He was examined by two doctors, who certified that he was merely shamming. The matter was referred to the Colonial Secretary by another doctor, who took the view that the prisoner was endeavouring to get out of gaol on the plea of insanity. The person referred to still remained in custody. He might state that Dr. Skae had also examined the prisoner and was of opinion that it was simply a case of shamming.

### MOORE, HUTCHISON, AND OTHERS.

Mr. BRYCE asked the Government, Whether they have given effect to the recommendation of the Public Petitions Committee on the petition of Messrs. Moore, Hutchison, and Pearce; or, if not, whether they intend to do so?

Mr. SHEEHAN replied that the report of the Committee was to the effect that the persons were not entitled to compensation. They recommended the issue of the grant, and that recommendation would be carried out.

### H. RAPU.

Mr. BRYCE asked the Government, Whether they intend to give effect to the recommendation of the Native Affairs Committee on the petition of Hariata Rapu and another; and, if so, when?

Mr. SHEEHAN said this case was one of a very singular character. The person employed to purchase land for the Government in a West Coast district negotiated for two blocks of land from the Maori petitioners. The price to be paid was £340, and of that amount only £240 was paid. He had paid the balance to other people whose names were not in the Crown grant. So far as he could see, the Government would be compelled to carry out their bargain; but, before the money was actually paid, the Government intended to appoint a Royal Commission to examine under what circumstances the balance of the money was paid. The agent referred to appeared to have acted very improperly indeed, to put it very mildly.

### MINISTERIAL RESIDENCES.

Major ATKINSON asked the permission of the House to propose a motion with reference to the Ministerial residences, without notice. He had consulted with the Government upon the subject, and an understanding had been arrived at that the motion should be introduced. The terms and conditions upon which the Ministerial residences were given up by retiring Ministers during the session had never been definitely settled, and it seemed desirable that some responsible Committee should make a report as to the terms and conditions which it was reasonable to impose upon retiring Ministers. He therefore proposed the following motion: That it be an instruction to the Public Accounts Committee to inquire into and report as to the terms and conditions of vacating Ministerial residences by Ministers retiring from office during the session.

Motion agreed to.

## TARANAKI SMELTING WORKS BILL.

This Bill was received with amendments from the Legislative Council.

Mr. BURNS moved, That the amendments be agreed to. The Bill was originally framed to give effect to the report of the Public Petitions Committee, which recommended that the Taranaki Smelting Company should produce 100 tons of iron before being placed in possession of the 5,000 acres of land. The effect of the amendments made by the Council was to reduce the quantity of iron to be produced from 100 tons to 50 tons.

Mr. KELLY moved, That the amendment be not agreed to. The case was very fully inquired into by the Public Petitions Committee, who were about to refuse to entertain the claim for the grant altogether; but it was suggested by the Chairman that the company should have another chance, and it was decided that upon the company producing 100 tons of iron the grant should issue. The land was granted by the Provincial District of Taranaki for the purpose of solving the problem whether iron could be manufactured from the iron-sand with advantage to the province. The province would never have thought of giving away 5,000 acres of land but for the belief that the trial would be fairly made. He therefore opposed the amendment. If the intention of the Public Petitions Committee were carried, and the 100 tons of iron were produced, he would consent to the proposal, because that would be a guarantee that the company were in earnest.

Mr. REYNOLDS regarded the report of the Public Petitions Committee as a very great concession to the company. If the quantity of iron to be produced were reduced from 100 tons to 50 tons it would virtually be handing over 5,000 acres of land to the company.

Mr. STOUT hoped that the amendment would be agreed to. The company were entitled to the land if they never smelted any iron at all, as they had spent far more money than they promised to do. They had spent more than £15,000 trying to smelt the sand, and unless people who tried to start new industries were to be encouraged the result would be very calamitous to the colony.

Mr. TRAVERS would oppose the amendment made by the Legislative Council. He conceived this was one of the cases in which the House had shown a great want of judgment by allowing large tracts of the public land to be handed over to a company in a manner which was in no way justifiable. A person named Smith, an armourer, in Wellington, had taken it into his head that he had discovered the means of doing that which the most experienced metallurgists in Europe had stated to be impossible. Men like Dr. Percy and others were anxious to discover some mode by which this particular class of iron-sand could be utilized, but after many trials had been made they had pronounced that the sand could not be profitably used for iron-smelting purposes; but Mr. Smith, the armourer, managed to get a number of persons, who knew as little about it as himself, to invest their money in

*Major Atkinson*

this venture. The company which was then formed failed to make iron from the sand, but that was no reason why the colony should be called upon to reward them for their failure. The land named in the Bill was intended to be given as a reward for success. Had Smith shown that he was able to smelt the sand, then in all probability the bonuses would not have been misapplied, although these bonuses were inducements to people to embark in matters of this kind as mere speculations. With regard to the ore which had been smelted, he knew that a large portion of it had been taken from his (Mr. Travers's) own property at Massacre Bay, while it was smelted as if it had been the Taranaki ore. He thought the whole business was an abominable trick from beginning to end. If the company could smelt the ore at all, there could be no more difficulty in smelting 100 tons than in smelting 50 tons. The object for which the industry was established was to bring the produce of the country into the market. It seemed to him to be utterly absurd to give a company 5,000 acres of land for smelting 50 tons of iron. If they did that sort of thing they would be offering inducements to people to start such companies merely for the purpose of getting the bonuses. He hoped the House would not consent to give the company this land until some further inquiry had been made. He deprecated altogether any attempt to develop industries of this class by the course which was now being pursued. He considered that it would be bad enough to give the company the land even if they did succeed in smelting 100 tons of the ore, for, even if they smelted it, the country would gain no advantage. If the industry were likely to be successful it required no bonus whatever.

Mr. MURRAY said that the honorable member for Wellington City seemed to have a grievance because some of his property was taken from Massacre Bay.

Mr. TRAVERS said he had no grievance. He merely mentioned the fact to show that the company had not smelted Taranaki iron-sand.

Mr. MURRAY said the honorable gentleman seemed to think that if the company was unsuccessful it needed no reward, and was not to be recompensed for the money it had spent. The colony should do all it could to assist struggling industries, and if they broke faith in this matter the outside creditor would not place much faith in them. He hoped the House would pass the Bill, for he thought that the Legislative Council had in their wisdom agreed to what was after all only a fair and reasonable proposal.

Mr. REID thought this matter had not been properly considered in Committee. The question was not whether the company had smelted the iron, but whether they had carried out their agreement. He held that substantially the agreement of the company had been carried out, for they had expended the money they agreed to spend. It was a mere quibble to say that the company should not get this grant of land because they had not called up the full amount of their capital. They had spent more than the amount they had agreed to spend, and therefore they

should get the land. If they had failed to produce iron it was their loss, and not only theirs but the country's also; and it was not right to say to them now, "We admit that you have carried out your agreement, but because you have failed to produce iron you shall not have the land." The honorable member for New Plymouth said he would be willing to give the company the land as soon as they had produced 50 tons of iron, but he (Mr. Reid) thought they had already earned their reward.

Major ATKINSON held different opinions from those expressed by his honorable friend the member for the Taieri. There could be no doubt that, whatever might be the wording of the Act, the intention of both the House and the company was that the latter should smelt the iron-sand. It was perfectly certain that the House and the Provincial Government never intended to give the company 5,000 acres of land merely for putting a quantity of machinery on the beach at New Plymouth. What he had to complain of was, that the company had never yet attempted to obtain the services of a properly-qualified man to test the sand, with the view of ascertaining whether it could be profitably smelted or not. The directors had not acted fairly to their shareholders in neglecting to do this, and he thought the House would be doing a great wrong if it gave the company the land until they had shown that they were carrying on their works in good faith. He felt considerable sympathy for the shareholders, especially those in Dunedin, who, he thought, had taken their shares under a misapprehension as to what was going to be done. It was quite reasonable to suppose that the Government would not have for a single moment entertained the proposal to give the company the land if they had not believed that the company intended to smelt the sand. It was notorious that they had never attempted to do that in a proper manner, and, under the circumstances, it would be wrong to give them so large a portion of the public estate. The only reason that the Government had for entering into the matter was that the Taranaki iron-sand might be tested, and he thought the House was bound to call upon the company to give the sand a proper trial, as the Bill proposed, before the land was granted.

Mr. BURNS might state, with regard to what the honorable member for Wellington City had said to the effect that certain ore had been taken from his property at Massacre Bay, that such was the case. But, at the same time, he might explain that the ore which came from the honorable gentleman's property was a complete failure. The ore which was smelted was the real Simon Pure—it was the Taranaki iron-sand. He (Mr. Burns) had made inquiries into the matter, and he was informed by a gentleman who was on the spot that the ore which was got from the Parapara District was put into the furnace and came to nothing. Moreover, it nearly ruined the furnace. Some time afterwards a trial of the Taranaki sand was made, and it was clearly proved that it would produce iron. He thought the company had been somewhat hardly dealt with. He had taken the matter before the Public Peti-

tions Committee in all good faith, for he firmly believed that the company had a perfect right to receive a Crown grant for the land. There was no doubt that if the company could produce 50 tons of iron they could produce 100 tons. If the House threw out the Bill, it would have to refund to the company the money they had laid out on the land, because if the company did not get the land nobody else could get it. He thought the motion ought to be agreed to.

Question put, "That the amendment made by the Legislative Council in the Taranaki Smelting Works Bill be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	20
Noes	...	...	...	...	30
Majority against ...					10

#### AYES.

Mr. Ballance,  
Mr. Bowen,  
Mr. Bryce,  
Dr. Henty,  
Mr. Hislop,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Lumsden,  
Mr. Macandrew,  
Mr. Macfarlane,  
Mr. McLean,

Mr. Nahe,  
Mr. Ormond,  
Mr. Rees,  
Mr. Reid,  
Mr. Rolleston,  
Mr. Stout,  
Mr. Woolcock.

#### Tellers.

Mr. Burns,  
Mr. Murray.

#### NOES.

Major Atkinson,  
Mr. Baigent,  
Mr. Barff,  
Mr. Beetham,  
Mr. J. C. Brown,  
Mr. Curtis,  
Mr. Dignan,  
Mr. Fitzroy,  
Mr. Gibbs,  
Mr. Gisborne,  
Mr. Hamlin,  
Mr. Hodgkinson,  
Mr. Joyce,  
Mr. Montgomery,  
Captain Morris,  
Mr. O'Rorke,

Mr. Reynolds,  
Mr. Richmond,  
Mr. Rowe,  
Captain Russell,  
Mr. Seymour,  
Mr. Sharp,  
Mr. Stevens,  
Mr. Swanson,  
Mr. Takamoana,  
Mr. Thomson,  
Mr. Williams,  
Mr. W. Wood.

#### Tellers.

Mr. Kelly,  
Mr. Travers.

The motion was consequently negatived.

Mr. KELLY moved, That Messrs. Reynolds and Travers and the mover be appointed Managers to draw up reasons.

Mr. STOUT said he understood that some members who voted with the "Noes" on the occasion of the last division had been misled by other members telling them that there was a provision in the original Act by which 100 tons of iron were to be smelted, and that the company had broken their agreement in that respect. Such a statement was wholly incorrect. The company had broken no agreement except a technical provision as to the amount of capital. They had spent more money than they were bound to do, and the only provision which had been left out of the Bill was a provision that they should be successful in their operations. It was most unfair that the colony

should take up a technical question and refuse to carry out its obligations.

Question put, "That Messrs. Reynolds, Travers, and Kelly be appointed Managers to confer with the Legislative Council;" upon which a division was called for, with the following result:—

Ayes	...	...	...	27
Noes	...	...	...	25
Majority for	...	...	...	2

#### AYES.

Major Atkinson,	Mr. Nahe,
Mr. Baigent,	Mr. O'Borke,
Mr. Barff,	Mr. Richmond,
Mr. Beetham,	Mr. Rowe,
Mr. Bryce,	Mr. Seymour,
Mr. Curtis,	Mr. Sharp,
Mr. Dignan,	Mr. Swanson,
Mr. Fitzroy,	Mr. Thomson,
Mr. Gibbs,	Mr. Travers,
Mr. Gisborne,	Mr. Williams,
Mr. Hamlin,	Mr. W. Wood.
Mr. Hodgkinson,	<i>Tellers.</i>
Mr. Kelly,	Mr. Joyce,
Mr. Montgomery,	Mr. Reynolds.

#### NOES.

Mr. Ballance,	Mr. McLean,
Mr. Bowen,	Mr. Murray,
Mr. J. C. Brown,	Mr. Ormond,
Mr. J. E. Brown,	Mr. Rees,
Mr. De Lautour,	Mr. Reid,
Mr. Fox,	Mr. Rolleston,
Dr. Henry,	Captain Russell,
Mr. Hialop,	Mr. Sutton,
Mr. Hunter,	Mr. Wason,
Mr. Hursthouse,	Mr. Woolcock.
Mr. Lumsden,	<i>Tellers.</i>
Mr. Macandrew,	Mr. Burns,
Mr. Macfarlane,	Mr. Stout.

The motion was consequently agreed to.

#### CIVIL LIST BILL.

Sir G. GREY.—In moving the second reading of this Bill, I may say that a discussion has already taken place on the subject to which it refers, and I think it will not be necessary for me to make any remarks upon it. I will therefore content myself by simply moving the second reading of the Bill, the object of which is to reduce the salaries of Ministers.

Bill read a second time.

On the motion, That Mr. Speaker do now leave the chair, in order that the House may go into Committee on the Bill,

Mr. SHRIMSKI said,—I hope that the House will not agree to the passing of this Bill. I do not think that the salary mentioned would be sufficient to keep Ministers in the position they ought to occupy. No doubt it showed good feeling on the part of the present Ministers to propose such a change, and I hope the Ministry will continue in office for many years. No doubt, if the Bill is carried, the Premier will maintain the office with that dignity which becomes it; but there may be Ministers coming after him who would not be in a position to do so. I therefore

*Mr. Stout*

move, That the Bill be ordered to be committed this day three months.

Major ATKINSON.—I also hope the House will not agree to this Bill being passed. In my opinion the proposal is a mere affectation of economy. It may be all very well for a gentleman who is in receipt of a pension of £1,000 a year from the public funds, and who has an ample private fortune besides, to make such a proposal; but I will say this with absolute certainty: that no gentleman can occupy the position of Minister in this town upon £1,000 a year; and I speak from some experience on the matter. The same testimony, I am sure, will be received from any gentleman who may have occupied the position of a Minister. If it is desirable that Ministers should live in cheap lodgings and be separated from their families, or that they should be men of large and independent means, then I can understand the proposal; but I think it would be unwise economy to ask public men to occupy such positions at pecuniary loss to themselves. There are very few in this House who possess the confidence of the House who can occupy such positions except at great personal inconvenience. I do not believe there is on those benches one gentleman who is not sacrificing a great deal of personal comfort in order to serve the country. Unless we desire to confine the Ministerial benches to gentlemen of one class, it will be quite impossible to obtain gentlemen to act as Ministers if the salaries are reduced in this way. The choice at present is rather limited. There is now considerable difficulty in obtaining gentlemen to occupy the position of Ministers. A very large number of gentlemen are not in a position to do it; and when Ministries are being formed those gentlemen constantly refuse to accept office from various motives, but chiefly because they are not yet sufficiently independent to be able to leave their businesses to undertake the work of the country. I hope that the House will not, in a fit of false economy, rush into this reduction of salaries as proposed by Ministers.

Mr. STOUT.—I beg to move, That the debate be adjourned. It seems to me that this will be a rather long debate, and we desire to get the Land Bill passed through the House. From the statements which have been made, there is likely to be a long debate on this matter. My own opinion is that some compromise might be arrived at. I think that the salaries might be lowered, but that the Premier should have a higher salary than his colleagues. They should not be treated all alike; there should be a variation. I also think that now, as the Abolition Act has come into force, more Ministers will really be required to undertake the work of the various departments. My own opinion is that there ought to be one or two Ministers always travelling. If you have only two or three Ministers in Wellington, all the work is cast upon them, and the work cannot be well done. I notice, from the announcements in the *Gazette*, that one Minister has to take in hand the duties of two or three offices at the same time; and Cabinet meetings cannot be held when there are not the proper number of Ministers present in Wellington. There ought to be

an addition to the number of Ministers, and I think that the Premier ought to have a higher salary than the other Ministers. In order that honorable members may have time to consider the matter, I move, That the debate be adjourned until this evening at nine o'clock. If the matter is discussed now, the result will probably be that the Land Bill will be lost altogether. I hope that the adjournment of the debate will be agreed to without any further discussion.

Mr. REYNOLDS.—I think it better that the question should be settled at once. It has already been moved that the Bill be committed this day three months. I do not say that I go that length, but it may be necessary to alter the Bill. I am thoroughly opposed to the reduction of Ministers' salaries. I can speak quite disinterestedly, because when I left the Government I then stated that nothing would induce me to become a Minister again under any circumstances. I found it to be very inconvenient to reside in Wellington away from home. If the House once agrees to reducing Ministers' salaries it will confine the selection to the city and suburbs of Wellington. I am perfectly aware that the salary proposed will not meet the expense of Ministers coming from other provinces to Wellington. I will say nothing about the Premier being put in a different position from that of other Ministers. I do not see the necessity for it. The object for which a higher salary was given to the Premier was that he might be able to entertain. I do not think that there is any necessity for the Premier being put in a position to entertain. There is another reason why I would not like the Bill to be thrown out: I think it will be necessary that some arrangement should be made in order that there may be another member of the Ministry in the Legislative Council. I think it might be arranged that a gentleman could be sworn into the Executive Council without portfolio.

Sir G. GREY.—Before the debate is adjourned, I wish to make an explanation with reference to remarks personal to myself. The House has been told that it is all very well that a gentleman who is in possession of a pension of £1,000 a year should come forward with a Bill of this kind. That is an absolute misrepresentation. In point of fact, I should lose half the amount of the salary that would be given to me as Premier if it be fixed at £1,000 a year, or at whatever amount it might be fixed, and should not be as well off as Civil servants of the colony, who retain their full pensions even if taken into the Ministry. Therefore I think it is unfair to misrepresent my position, and then to base upon that misrepresentation a statement that I can very well afford to propose such a measure as this. I can only say that, whatever my position might be, I should, at a time when economy is so necessary, make the recommendation which I have made. Unless Ministers themselves set an example of economy there can be no hope of efficiently carrying it out. I shall say no more at present, and have only said so much because I did not like to remain for a moment under an imputation which I did not deserve.

Debate adjourned.

# LAND BILL.

On the question, That this Bill be recommitted to consider, amongst other matters, Appendix K, section 8,

Mr. LUMSDEN said that under the land laws of Southland in 1864 the runs were held under licenses for fixed terms. At that time it was desirable to offer more land for settlement, with a view of raising the revenue of the province. There were two ways of doing that. One was to proclaim new hundreds, the effect of which would be to cancel five or six leases. The other was the plan given effect to by the Act of 1865—namely, to give free selection over the whole of Southland at a fixed price per acre. This practically opened up the whole of the country, and put it in the same position as if new hundreds had been proclaimed. The runholders complained that they would be in a worse position than under the old law; and a clause was introduced into the Act by which they became entitled to ten years' extension, to be added to the unexpired term of their leases in December, 1875. This practically gave the runholders the following tenure of their leases: To 6, 15 years; to 11, 16 years; to 11, 17 years; to 6, 18 years; and to 2, 19 years. These were facts which he wished to put honorable members in possession of in order that they might see that the runholders of Southland were in a different position from those in Canterbury, and had no right to claim any extension of their leases.

Mr. HODGKINSON could corroborate what was said by the honorable member for Invercargill. He was under the impression that the runholders in Southland were not in the same position as those in Canterbury, because their leases were for a definite term, and therefore they had not the same claim as the Canterbury runholders. He should not feel warranted, under these circumstances, in voting for any extension of their leases; but he took the opportunity to say that he thought the Government ought to deal fairly and equitably with the runholders. If any of them showed that they had made valuable improvements on the runs—by sowing English grasses, for instance—which would increase the permanent value of the runs, and had not had time to recoup themselves, the Government should take that into consideration and give them some compensation by way of tenant right, which would have to be paid for by the next tenant. He also thought, although there was no claim for an extension of the leases of the runs, that something should be done, in those parts of Southland and Otago where the rabbit nuisance was very prevalent, to encourage the pastoral tenants to destroy the rabbits during the last two or three years of their leases; otherwise the rabbits would be allowed to increase to such an extent that when the runs came into the possession of the Government the country would be in a desolate state, and it would be difficult to get tenants on any terms that would be profitable to the Government. It would be obvious that during the last two or three years of his lease the runholder would have no incentive to keep down the rabbits. The Government



might remit a portion of the assessment on condition that the money was spent in killing rabbits. If it was not thought desirable to do this through the agency of the runholders, some other means should be adopted to keep down the rabbits during the last two or three years of the lease; otherwise the runs would come back in an utterly ruined condition.

Mr. ROLLESTON thought that on an occasion like this the House naturally expected to receive some statement from the Minister for Lands as to the course the Government intended to pursue with regard to the general question of the administration of the waste lands. There was no doubt that since the Land Bill went through Committee a very considerable change had come over the spirit of the dream of Ministers, and very great uncertainty existed in the minds of members as to the intentions of the Government in regard to that Bill. They desired to know whether the Government intended to bring down a fresh Bill, how they intended to deal with the classification of the lands, and were waiting for information on a number of other questions which naturally depended upon the broad fact that the Government had announced their intention to generalize the Land Fund. He hoped the Minister for Lands would afford some information as to the intentions of the Government in regard to these matters. It was the more necessary that they should have this information because they were now asked to go on with the Land Bill. The Bill was a great piece of work. The Waste Lands Committee and the House had devoted a great deal of care to the consideration of the Bill, and it was not unnatural that they should feel a corresponding interest in its fate. They had had scraps of information from every Minister. On the previous day they had from the Postmaster-General a very interesting statement which excited their curiosity as to what was intended to be done with a large portion of the Bill affecting the pastoral interest, which was regarded as passed by a large majority of the House. They had also had various utterances from other Ministers. It was the Native Minister, he thought, who said that members on his side of the House were as anxious to see the Bill passed as members on the Opposition side of the House; and they had had statements of various degrees of ambiguity from the Premier. It was not unreasonable, therefore, to ask the Minister for Lands to make some statement as to what was to be the policy of the Government with regard to the Bill.

Mr. MACANDREW thought it might be regarded as fortunate that the Minister for Lands was not gifted with the *cacoëthes loquendi* to such a degree as some other honorable members; otherwise he might say something more upon the subject than would be edifying to those honorable gentlemen. It was very evident that if the House accepted the land policy of the Government it would be necessary to bring down an entirely new Bill, but it was absurd to expect him or any other member of the Government to explain the minutiae of the Bill at that moment. It would take months to prepare a Bill to em-

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body the details of one uniform land law for the whole colony; but if the honorable gentleman would only wait a little time he would see a Bill introduced which would fully indicate the nature and effect of the policy proposed by the Government. He did not think it necessary to anticipate what the new Land Bill would contain, as the Bill, when brought down, would speak for itself. In the meantime it would be advantageous that the Bill now before the House should be passed. Although he had said that he was not enamoured of it, there were many good things in it, and he had no doubt that it would become law.

Mr. STOUT hoped that the motion to commit the Bill for the purpose of reconsidering section 8, Appendix K, would be negative. After what had been said by the honorable member for Invercargill, he did not think that the pastoral tenants of Southland had any right to be considered as standing on the same footing as the Canterbury runholders.

Mr. MACANDREW said he had intended to have referred to that part of the question relating to the renewal of the Southland leases. The Government did not intend to support any proposal of the kind. He quite agreed with the honorable member for Riverton that the rabbit nuisance was a serious matter, so much so that it was a puzzle to understand how to deal with it; but he did not think the evil would be met by granting an extension of the leases.

Mr. HODGKINSON said he did not suggest that.

Mr. MACANDREW said that, if the House did anything in the matter, it would be better to appropriate a sum of money for the extermination of the rabbits. He saw no objection to devoting the rents of the last two or three years to the purpose, but it would have to be done by means of the Appropriation Bill.

Mr. W. WOOD said that as the clause had been struck out it would be unwise to reinsert it. As to the remarks of the honorable member for Riverton, he did not understand the honorable gentleman to argue that the leases of the Southland runholders should be extended on account of the rabbit nuisance, nor was he aware that any of the Southland runholders had applied for an extension of their leases on that or any other pretence. Their leases were so clear that he did not think any of them had ever thought of making such an application. It was the claim of the Canterbury runholders that led to the question being raised; but the two cases were entirely different. As had been stated by the honorable member for Invercargill, they had a certain term to begin with, but it was found necessary to amend the Land Act under which they held their licenses, and another Act was passed which made it optional with the runholders to say whether they would come under it or not. Those who did received an extension of their licenses for ten years. The honorable member for Invercargill was scarcely correct when he said that they received an extension of sixteen or eighteen years.

Mr. LUMSDEN said he did not say that. He

said that practically their leases extended to sixteen, eighteen, and nineteen years.

Mr. W. WOOD said he knew the honorable gentleman was quite familiar with the nature of the arrangement. With regard to the rabbit question, it would be very wrong to offer an extension of the leases simply because the runs had become infested with rabbits while in the possession of the runholders. They could avail themselves of a clause which enabled them to purchase the pick of their runs at £1 an acre, and if other persons purchased they received compensation up to a certain amount. In cases where they purchased themselves they received back part of the £1 an acre as compensation; but nobody could blame them for that, because the law allowed it. He thought it would be found that if the rents were remitted on account of the rabbits there would be quite as many rabbits when the runs were given up as there would be if no remission had been made. He did not believe the runholders were in a position to cope with the rabbit nuisance, and the longer the runs remained in their hands the greater the nuisance would become. They said they had suffered severely from the ravages of the rabbits, and he did not doubt it; but they were only paying 2d. an acre for the land, and, notwithstanding the rabbit nuisance, he believed they could tomorrow lease some of the runs at 2s. an acre instead of 2d. Some of those who cried out most were the very gentlemen who would gladly pay 2s. rather than lose the land they now hold at 2d. He trusted the House would not go into Committee to consider section 8 of Appendix K.

Motion to recommit the Bill for the purpose of reconsidering section 8, Appendix K, negatived.

The House went into Committee on the Bill.

#### IN COMMITTEE.

Appendix G, section 1.—Uniform price of rural lands.

Mr. STOUT moved the addition of the following proviso to the clause: "Provided always that this section shall not apply to pastoral lands set aside for sale on deferred payments."

Question put, "That the words proposed to be added be so added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	31
Noes	...	...	...	...	32
Majority against	...	...	...	...	1

#### AYES.

Mr. Baigent,	Mr. Nahe,
Mr. Barff,	Mr. Rees,
Mr. Bryce,	Mr. Reid,
Mr. De Lautour,	Mr. Reynolds,
Mr. Dignan,	Mr. Sharp,
Mr. Fisher,	Mr. Sheehan,
Sir G. Grey,	Mr. Shrimski,
Mr. Hislop,	Mr. Swanson,
Mr. Hodgkinson,	Mr. Takamoana,
Mr. Hursthouse,	Mr. Thomson,
Mr. Joyce,	Mr. Tole,

Mr. Kelly,  
Mr. Lumsden,  
Mr. Macandrew,  
Mr. Manders,  
Mr. Murray,

Mr. W. Wood,  
Mr. Woolcock.  
*Tellers.*  
Mr. Ballance,  
Mr. Stout.

#### NOES.

Major Atkinson,  
Mr. Beetham,  
Mr. Bowen,  
Mr. J. E. Brown,  
Mr. Bunny,  
Mr. Curtis,  
Sir R. Douglas,  
Mr. Gibbs,  
Mr. Gisborne,  
Mr. Harper,  
Dr. Henry,  
Mr. Hunter,  
Mr. Larnach,  
Mr. McLean,  
Captain Morris,  
Mr. Ormond,  
Mr. Richardson,

Mr. Richmond,  
Mr. Rowe,  
Captain Russell,  
Mr. Stafford,  
Mr. Stevens,  
Mr. Sutton,  
Mr. Tawiti,  
Mr. Teschemaker,  
Mr. Travers,  
Mr. Wakefield,  
Mr. Wason,  
Mr. Whitaker,  
Mr. Williams.

#### Tellers.

Mr. Murray-Aynsley,  
Mr. Rolleston.

#### PAIR.

#### For.

Mr. Montgomery.

#### Against.

Mr. Pyke.

The amendment was consequently negatived.  
Bill reported with amendments, and read a third time.

#### CIVIL LIST BILL.

#### ADJOURNED DEBATE.

Mr. STOUT.—I have no more remarks to make upon this Bill beyond what I have already said. I hope the alteration I suggested will be carried out in Committee—namely, that there shall be some difference in the salary of the Premier. I am not opposed to the reduction of the salaries, but I think, seeing the great amount of work thrown upon the Government, there should be an additional Minister. There will be far more work to do next year than there has been this, and we find even now that there is almost always one of the Ministry laid up from overwork. That applies to both the present and the late Ministry. As to any effect which an additional Minister would have upon the voting power, I think there is nothing in the argument. I have seen five members of a Government in a Provincial Council which only numbered forty-eight members, and, if there were seven or eight Ministers in this House, with its eighty-seven members it would not make any difference in that respect. I shall vote against the amendment of the honorable member for Waitaki.

Mr. HODGKINSON.—I shall vote against the amendment, and support the Bill as strongly as I can. I think the opposition to this Bill is altogether out of place. The salary fixed by the Bill is very ample. I believe that for years past the system of extravagance into which we have been attracted has been quite unwarrantable for a colony so small as this in age and population. The salary of £1,000 a year is double what the Governors of some of the United States get. For instance, the Governor of the State of New York, with a population of five millions, does not

get more than £800 a year, and some of the State Governors only get £600; and in the advanced state of civilization in America people live in a style far exceeding anything in the Australian colonies, and yet the people of the United States are able to get men of the greatest ability to act as Governors at low salaries. The two last candidates for the Presidency of the United States, Mr. Tilden and Mr. Hayes, were both Governors of States—one of New York and the other of Ohio—and they were not receiving more than a quarter of what the honorable member for Egmont received. Therefore, if it is argued that in order to get good men you must give large salaries I think it is a great mistake. In fact, I believe the reverse to be the case, and that you are likely to get much worse men, because high salaries are a great temptation to men to aspire to office and get upon the Government benches by means which are not very worthy, and once there it makes them exceedingly unwilling to leave. The whole of the arguments used by the honorable member for Avon and the honorable member for Egmont are based upon the supposition that our public men are a set of hirelings, and that they will not do anything except for pay. I have sometimes said rather severe things in this House, but I do not believe that of the public men of New Zealand. I believe some of them will be glad to serve their country as Ministers on the same grounds that men act as members of the Assembly—that they do not look to the position as a means of living, and all they want is a moderate recompense for their services and loss of time. I think that the allowance here proposed is ample for that. Another point raised is that there should be an additional sum for the Premier. That is not a matter I like to lay much stress upon, and if it is thought advisable to give the Premier a higher salary I shall not object, unless it is done on the ground which has been alleged by one or two honorable members—namely, that it should be given to him in order to enable him to entertain and to show hospitality. That would be a reason why I should vote against it. I think the only person in this colony who should entertain and show hospitality is the Governor, and a Minister should only do as they do in England—entertain his friends: all the rest should be done by the Governor and the Speaker, who should receive additional salary for that purpose. I do not wish to rake up the past, but I think every one must admit that this sort of entertainment during the term of office of a late Premier had considerable influence on the votes in this House. I have no hesitation in expressing my belief of that fact, and I know something of human nature. We are all human, and when gentlemen from the country are entertained in this way it has an effect which it should not have on the votes in this House. There is another point to which I should like to refer, and that is the appointment of an additional Minister or two Under Secretaries. I do not see the necessity for that, and I am sorry that the question should have been raised, because it implies the perpetuity of the state in which we

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find ourselves—a complete system of centralisation under which every question, small and great, is to be referred to this House for all time to come. I hope that when the new Parliament meets in the course of a year or two some change will be effected by which this House will be relieved of a vast quantity of the work—what I may call the local work—which it is now called upon to do, and which was formerly done by the Provincial Councils. Some kind of machinery will have to be constructed by means of which a good deal of that work will be taken from the House. I do not think, however, that any good would result from discussing that matter now; it can best be done when the new Parliament meets. In the meantime I should not be disposed to support the appointment of an additional Minister. I hope that next year some means will be devised for relieving Ministers of a great deal of the work they now have to do. I shall vote for the Bill, and oppose the amendment.

Mr. GISBORNE.—I shall vote with the Government on this Bill, and I may say that I see no reason why the Premier should receive a higher salary than any other Minister. At the same time, I think that Ministerial residences or liberal allowances for house rent should be made to those Ministers who are not resident in Wellington, so that they may be able to bring their families here with them. Unless you give a residence or liberal house-allowance you cannot induce gentlemen who live in other parts of the colony to take office. They should be provided with the means of getting suitable residences for themselves and their families. I do not know what the intention of the Government is in regard to the Ministerial residences. I think that gentlemen who do not live in Wellington should certainly receive some house or extra allowance when they accept office, for, as I have already said, if they do not there will be a great difficulty in getting gentlemen who are eminently qualified to hold office, and who happen to live in other parts of the colony, to join the Government. I hope that when the Bill is in Committee the Government will see their way to do something in that direction.

Mr. REID.—I was not surprised at the tone adopted by the honorable member for Riverton to-night. The other night I heard the honorable gentleman say that money was very useful; but there are some things that are very offensive and not very useful, and that does not always apply to money. I cannot agree with the proposals contained in this Bill, but I admit that, if the Government wish to make themselves popular with the unthinking, they could not have adopted a better course than this. They could not do anything better than say to the electors, "See, we wish to be economical; we are a Government who will carry on the administration of the affairs of the country at a saving of so many thousands per annum." But, Sir, I do not think the people of this country are to be led away by such a cry as that. Of course I do not say that this measure is brought forward for the purpose of gaining popularity, but it certainly has a tendency that way. No doubt the people

outside the House will consider that £1,000 a year is a sufficient salary for a Minister. I think that one of the great mistakes of democracies is that they are rather too niggardly in regard to the payment of their public men. It appears to me that that is a weakness of democracies. I do not think the salaries of Ministers are too high, considering the personal inconvenience to which they must be put in coming to Wellington from their homes. Of course it will be different if the Government is to be composed of members who belong to Wellington. I say that, taking into consideration the inconvenience Ministers who live in other parts of the colony have to submit to, the salaries at present paid are not at all too high. If they are engaged in business in other parts of the colony they have to neglect it and come to Wellington, and for no certainty either, for they are never sure of remaining in office twelve months: in fact, they run the risk of being turned out of office at any moment. All these things have to be taken into consideration in discussing a matter of this kind, and in my opinion the salaries those gentlemen now receive are not at all too high. Let us take the case of the late Superintendents of Provinces. They received about £1,000 a year each: in fact, the Superintendent of Otago, the present Minister for Lands, received £1,200 a year at one time. I would ask him whether it would not be better for him, from a pecuniary point of view, to live at home with that salary than to have to come up here to live, even if he got twice the amount. I say he would be far better off, because he would be able to conduct his own business, and would not have to put up with all the inconveniences of removing his home. I intend to vote against this proposal, and I do so without having any personal feelings whatever on the subject. None of us know how long we may be members of this House—we may at any moment be sent to the right-about: in fact, we on this side of the House are led to believe that we shall never be returned to the House again. Therefore I am quite disinterested in this matter. We are told that the people have no confidence in us, and that they believe all the good is on the side of the present Government. The result will be, I suppose, that the next Parliament will be composed entirely of persons holding the views of the present Government, and I think the proper time to consider this question will be when the new Parliament meets.

Mr. W. WOOD.—After the able speech which we have just heard from the honorable member for the Taieri I have no doubt he will give his vote in the direction he has indicated. The honorable gentleman says that in all probability many members on his side of the House will not again be returned by the electors. It would be a matter of much regret if he, and some of those gentlemen around him, should disappear from this House. He has for some time suffered all the anxiety attendant upon office, and all the pecuniary losses and inconveniences attached thereto, but at the same time he has never shown any inclination to escape from them. I notice that the same feeling seems to have actuated the

honorable gentlemen who sit round him. He states that the country should not be niggardly in paying its public men—that it should estimate them at a proper value, and pay them accordingly. The honorable gentleman will recollect that while he was in office he and his colleagues drew just ten times the amount by way of salaries that was allowed to other members of the House, thereby showing that, in his opinion, their services were worth ten times as much as those of other members of the House. This shows a spirit of great liberality. While each member of the Government was drawing a large salary and a liberal house allowance, the other members were only receiving £150 for the services they were rendering. As the late Government believed that their services were worth ten times as much as those of other honorable members, I do not wonder that they insisted on forcing themselves on the country as long as they possibly could. With regard to this Bill, I think it comes with a good grace from the present Government, and it shall have my support. I do not think it has been brought forward by them from the mean and contemptible motive which has been attributed to them by the honorable member for the Taieri. The present Government do not call themselves patriots, and I do not believe they have brought forward this measure for the purpose referred to by him. I think the community at large formed a very correct estimate of the gentlemen who lately occupied those benches, and I believe they are rejoiced to think they have got rid of them. I believe that the public will take this as showing an earnest and sincere desire on the part of the present Government to retrench, and I think they have commenced retrenchment at the right place—namely, by beginning with themselves.

Mr. THOMSON.—Sir, I intend to support this Bill in its present shape. It has been said that the members of the Government put themselves to a very great deal of personal inconvenience. That remark was made specially by the honorable member for the Taieri, who laid great stress on it; but I should like to know who does not put himself to a great deal of personal inconvenience in coming to this House. I consider that that is a matter that ought to be left entirely out of consideration in discussing this question. Of course some members may sustain no loss whatever in coming to this House. Their affairs may be of such a character that they lose nothing by their absence from their homes. To other members, however, the loss may not be capable of being estimated by thousands of pounds; so that I consider the question of the inconvenience to which members may be put by coming here must not be considered. I imagine that, as a rule, it is fully as inconvenient for members of the House to leave their homes as it is for Ministers of the Crown, because, as a rule, it would be easier to make arrangements for being absent from home for a whole year than for three or four months each year. Now I think that £1,000 a year is amply sufficient to meet the expense of a family in Wellington or anywhere else. We must keep the question of personal incon-

venience altogether out of our minds. All we have to consider is whether £1,000 a year is a sufficient sum to meet the expenses incidental to the maintenance of a family in Wellington. It was said in the House this afternoon that this matter should be referred to a Committee, and one honorable gentleman said he believed that if the Committee called up any honorable gentleman who had been a member of the Government he would state that he had so acted at a loss.

Mr. REYNOLDS.—Hear, hear.

Mr. THOMSON.—The honorable member for Port Chalmers says "Hear, hear." If he lost anything it must have been because he was obliged to neglect his own private business in another part of the colony, and that is an element which we ought to leave out of consideration altogether. Why, when the honorable gentleman was Minister he lived in lodgings—he occupied no Ministerial residence; and I must candidly say that I cannot see how it is possible for a man, living in lodgings and conducting himself at all economically, to spend £1,400 a year. The man who does that must be a gambler. Of course if a Minister goes into one of those residences, and keeps a groom, and a coachman, and a flunkie or two, he can spend any amount of money. But I cannot see how a man in lodgings can spend £1,400 a year. There are two proposals before the House. One is to reduce the salaries of Ministers, and the other is to sell the Ministerial residences. I support both proposals, especially that of selling Ministerial residences. They are kept up at great expense—at an expense of something like £300 a year—and furnished with every article, down to a toothbrush. I have been so informed. Well, honorable gentlemen come here, and, as the honorable member for Mount Ida says, little social circles are formed, and those little Ministerial social circles have had in the past a great effect in retarding the working of Parliamentary government. There can be no question about that. I have been credibly informed that those Ministerial residences have had a most injurious effect upon the morality of Wellington. I have been informed that gentlemen, when they take those fine residences and handsome furniture, say to themselves, "Well, we are Ministers. Surely we can live in a style equal to that which Mr. So-and-so"—some Wellington merchant—"lives." Then that Wellington merchant says to himself, "Well, I can keep up as good a style as Mr. So-and-so, who is a Minister of the Crown." In this way there is a sort of emulation, and the one acts and reacts on the other, and the emulation extends down the social scale, often leading to extravagance, and sometimes to bankruptcy. The sooner we get rid of this sort of thing the better. As to the idea of there being an extra amount of salary for the Premier, I think that the salaries should be all alike. That is my opinion. It may be said that the Premier should have an extra salary on account of certain social obligations imposed upon him, but I think that these social obligations have acted very injuriously in the past. I do not think that it is the duty of Ministers of the Crown to entertain members of Parliament

during the session. We know what these entertainments have been got up for. I do not see very well how, after going to a man's table and drinking wine with his wife—perhaps dancing with his wife—you can come to this House next day and express your mind freely with regard to his policy, and go into the lobby to turn him out of office. I do not see that the two things are compatible. It may also be said that we should give the Premier an extra salary because he is a superior man. The effect of giving the Premier a larger salary might induce him to believe that he is a superior man, and he might endeavour to unduly press his views upon his colleagues; and even they might think that, as the Premier got £1,500 a year, and they only got £1,000, he would be a half better than they, and that it was their duty to give way. That is not a proper sort of thing. I shall support the Bill.

Mr. SHEEHAN.—I cannot say that I altogether agree with the honorable member for Clutha. I think a Minister has a right to keep up a reasonable position, and I cannot understand that the fact of a member of this House dining with a Minister, and taking wine with, or even dancing with, a Minister's wife, should have any effect upon that member's vote. I do not think such little social amenities have any bad effect on our political life or even on a member's political conscience. If there are any honorable members in this House who have been so unduly influenced I hope they will not come back again. It appears to be a very wild theory to advance, that such has been the case. The honorable member for the Taieri delivered a very moving speech this afternoon. He drew a moving picture of a man becoming Minister, coming up here, and before twelve months receiving notice to quit. Well, Sir, those things have happened in the past, and will continue to happen. Before twelve months even we may have to leave, and I can only hope that when it does happen we shall be able to bear our part. He says we assume all the virtue to be on our side. On the contrary, I have always said that all the virtue of the House is on the side of the Opposition, and that there is nothing but corruption and dishonesty in the Government. The honorable member was also good enough to say that if there was a dissolution there would be many changes. No doubt, and I think the honorable gentleman will find that a few of his friends will not come back here. The people will send representatives to support the present Government.

Mr. REID.—The Government may not come back.

Mr. SHEEHAN.—Oh, yes; the Government will come back. The honorable gentleman knows perfectly well that we shall be returned. Perhaps, however, we may not stop in office. Events move so rapidly that even the present advanced Government can hardly keep pace with them. But of one thing I am sure: If we cannot keep in office, the country will have none of the "old stagers" of the past; the sparin, broken-down horses that have drawn the coach for the last four or five years will have to go out to grass, and remain there for a long time to come. Speaking of the Bill before the House, I may at once say

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that I do not think that the present salary paid to Ministers is by any means extravagant. My own inclination would be rather to increase the salary than to reduce it, because I take it for granted that there are only two courses open to us — either to provide a respectable salary for Ministers and get the best men, or else to leave the government of the country to men living in Wellington or in the other settlements abutting on Cook Strait. It is not possible to get men for low salaries to come here from distant provinces and give up their ordinary business avocations for the sake of occupying the Ministerial benches for a few months. But the consideration which has influenced the Government in making the change is this: We feel conscious of the fact that, if we are to make reductions in the expenditure, it is imperative that it shall be done systematically. Therefore we consider it ought to begin with Ministers themselves, and if we are to carry out our policy of retrenchment nothing will more strengthen our hands and give us a greater moral influence and enable us to better perform the difficult task before us than the acceptance of this proposal. There can be no doubt about it, it is a difficult task. The moment we commence it, the people concerned will take up arms, and unless you can conscientiously say that you have made personal sacrifices you will fail in the attempt. On that ground I am prepared to vote for the reduction; but I am bound to say this: that, for the purpose of really good Parliamentary government, there is not at present a sufficient number of Ministers in this House. There ought to be at least eight Ministers in the House. I will go further than that, and say that there ought to be at least two Parliamentary Under Secretaries—not members of the Cabinet, but capable of undertaking Parliamentary work. I observe some honorable gentlemen shaking their heads. Why, Sir, that is one of the best features of the Parliamentary form of government in England. I do not suppose the project will be realized yet, but the time will come when it will be realized, and when we shall have two or three men in the House to undertake ordinary routine work, assisting in Parliamentary work, and taking a good deal of the departmental business off the shoulders of Ministers. If that were done we should have a chance of getting rid of that feeling that there are only two or three men on each side who can achieve political salvation. In years past the politics of the colony have been managed by a certain few. Certain persons have been in office, and that has been the signal for two or three others to go into strong opposition. The Opposition have gone into office, and the ex-Ministers have taken the other side of the House. Then there has been another shuffle of the cards, and the positions have been reversed; and so the thing has gone on. That sort of thing has gone on long enough, and there will, I hope, now be a change. I see an honorable member laughing. I would not place him on the top of the list of future Ministers. Not that I wish by any means to imply that he is not a perfectly competent person to sit on these

benches. I do not carry political rancour so far as to say that he is unfit to be a Minister of the Crown. What I complain of is that there has grown up in this colony, and in this House, a sort of tradition that it is only within a narrow circle that we need seek for rulers to govern the country. Well, we have departed from that principle. Some of the members of the Ministry are almost unknown to fame: but if we can carry on respectably the affairs of the country for twelve months, and even then have to go out of office, we shall have established the fact that there is salvation outside of these two circles to which I have referred. I am sorry to see so much opposition given to this measure, and coming, to a large extent, from our own side of the House. It is putting us in an awkward position. So far as we are concerned we mean exactly what this Bill professes. We ask fairly and honestly for a reduction of our own salaries. We do not ask our own friends to oppose this measure. If we had a right to ask them we should say, "Vote for this Bill as embodying a part of our policy." Of course, if the House will not reduce these salaries, we shall have to draw them; no doubt that will be the consequence. At the same time, I would be content that the Bill should pass as it is, reducing the salaries to £1,000, and leaving it to the House, in better times, to raise them to what ought to be their proper amount. I am quite convinced in my own mind that if we wish to carry out reform or retrenchment we must begin at the very top of the ladder. It is only in that way that you can control the public departments so as to enable you to carry out the policy of reform. Any one who has had any experience knows that the moment you try to make reductions in salaries in any of the public departments, although the papers may be teeming with articles upon the extraordinary expenditure connected with the Civil Service, the moment you put your hand upon any particular person, his friends are up in arms at once, and the papers attack the Government, and say that the reduction is simply a sham to make room for somebody else. For these reasons, I am justified in asking the House to permit us to make this pecuniary sacrifice. Let the matter rest with us; if we are wrong we pay the consequence of the reduction. If the House wishes to raise the salaries of other Ministers next year, they can do so. I am prepared to do the work for £1,000 a year, and the House should not be so generous as to press an additional sum upon us. Leave us to pay the penalty, if there be one involved in this proposal. Sir, I hope that the House will allow the Bill to go into Committee.

Mr. REYNOLDS.—As I was out of order in addressing the House before, I now take the opportunity of saying a very few words. My honorable friend the member for Clutha has been very severe upon me. I never said that it took up all my Ministerial salary to meet my expenses while I was in the Government; at the same time, it took up a large proportion of it. Honorable members must bear in mind that Ministers living elsewhere are put to great expense in bringing their households up to Wellington, and

also in taking them back again; and that they had continually to meet other expenses which honorable members did not calculate upon. All I can say is, that I could not keep my family in Wellington for double the amount of money allowed. It all depends upon how persons want to keep their families. No doubt a Minister with only one child might keep his family in Wellington for a certain period on the salary allowed, but it is impossible for a Minister with a large family to do it. I do not think the salary of Ministers is too high. Great difficulty will be experienced in getting members from other parts of the colony to come and take up their residence here on such a salary as proposed, and it will be a very difficult thing to get men who have been in office to take office again. If you reduce the salaries of Ministers the result will be that you will have to look to Wellington and its neighbourhood to get men willing to join the Government; and it is very questionable whether it would be advisable to confine the selection of a Ministry to Wellington or Cook Strait. With regard to the remarks of the Hon. the Minister of Justice, I disapprove of them in so far as he advises that there should be a larger Ministerial staff. I think the affairs of the colony can be very well managed with seven Ministers. I think it would be wrong to give any Ministry too large a voting power, and if there were two Under Secretaries in the House the Government would have nine votes instead of seven, and nine votes would be rather better than one-tenth of the whole voting power of this House. The Minister of Justice asked the House to allow Ministers to reduce their own salaries. I think we might come to a compromise: we might allow this Bill to go into Committee, and so alter it as to make it apply only to the present Ministry so long as they are in office, and that, as soon as they leave those benches, the salaries now provided shall be paid to their successors. I think that would be fair enough. If Ministers say the salary is too large, by all means meet their views, and reduce it as long as they are in office; but do not let us alter the salary and make it refer to others who may succeed them. I think a compromise such as this should be come to, seeing that Ministers are so very anxious to reduce their salaries.

Mr. MOORHOUSE.—We have heard a great deal about the necessity for Ministers showing in their own cases their appreciation of the desirability of effecting a reduction in the expense of governing the country. Well, my experience of this colony, dating back a few years, makes me exceedingly suspicious of any proposal such as that which we are now considering. I remember a long time ago, in another province of New Zealand, being present at the election of a Superintendent of that province—the Province of Hawke's Bay. I recollect the gentleman elected saying that he thought he could improve the administration, or, rather, make it more acceptable, if he came down to the Council with an assurance that as for himself he should accept no remuneration for his services. He assured the Provincial Council of Hawke's Bay that he could not on any considera-

tion accept one shilling of the public money for his work. I had the gratification of meeting that statesman and some of his colleagues in the Provincial Council in a publichouse close by on the same day, and I expressed the opinion that before very long there would be a salary attached to that office, and a very respectable one too. Of course they would not give their adhesion to that opinion. Well, within a very short time afterwards it was found necessary, in the interest of proper administration, that the Superintendent should receive a very respectable salary; and there was a jump to £500 at once. The public soon saw through this sort of thing. The people are not so dull as to be deceived, and they know the real value of this proposal. I do not want to make a long speech, and I will give way to more experienced and wiser members—the honorable member for River-ton, the honorable member for Mataura, and the honorable member for any other place, whose speeches occupy a very large portion of the time of this House. I would make a suggestion which may have some value to the Premier and his colleagues, if the public are to be operated upon by the exhibition of Ministerial virtue—namely, that Ministers may, in the interest of their successors, allow the present law to stand as it is, and abstain from drawing any salary whatever, or they may allow to remain in the chest the difference between the salaries now allowed by law and the amount they have put down in this Bill. There are innumerable instances within this colony of professions of self-denial in the public interest. I know of several which cross my memory now. I have almost invariably found that those professions were not sincere. There is, however, one distinguished exception in the case of an honorable member who held a seat in this House. I knew one member who received no salary whatever, but the equivalent was there. That honorable member was at one time a man of no position, but he came to the front, and, in order to establish his claim to the right to serve the public in a disinterested manner, he contented himself with doing an enormous amount of mischief without any salary whatever. That is the only exception I know of. That gentleman proposed to the popular Assembly that he would reduce the salaries in all directions by one-half, but, under his auspices, in a short time those salaries, with one exception, returned to their regular figure. Why, these spasmodic and unnatural efforts are absurd. We have an intelligent public now, Sir. They are birds of too old a growth to be caught by chaff. The only argument I have heard in favour of this Bill was given by an honorable member for whose intelligence and talent I have a very high regard—the Hon. the Native Minister. That honorable gentleman stated that Ministers, if allowed to dock themselves £250 or £500 a year, would then have a status which would enable them to press upon inferior Civil servants the acceptance of a lower rate of salary. Speaking on that subject, I may say that, during the short time I was an unworthy member of the Civil Service, I had an opportunity of learning something in connection with that part of the public service, and I

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am bound to say that, as a rule, as will doubtless be confessed by Ministers and those of their friends who have had an opportunity of learning the value of those gentlemen, they are an exceedingly intelligent, painstaking, and exemplary class of men. I think that after Ministers have become better acquainted with those officers the verdict on both sides of the House will be that they are worthy of the protection of Ministers, as representing the public whom they serve. Considering the necessary status of the Civil servants in society, considering the very great expense they have to incur, considering their entire inability to derive income from any other source, I am of opinion there should be no reductions made in their salaries. But I am quite conscious of one thing—namely, that there might be a reduction in the number of the Civil servants. I should be very sorry to see any serious—I have not heard anything seriously spoken of yet—proposal on the part of the Government to reduce the salaries of those painstaking men who are, as it were, the sergeants of the army. If I were a Minister to-morrow—a contingency not likely to happen—I should undertake most cheerfully, as other honorable members of my acquaintance have done, to produce a Ministerial statement in a week. I remember that the honorable member for the Thames, the present Premier, stated that he was prepared to propound a policy, a very serious policy indeed, and one of great importance, in half an hour. Of course, not possessing the superior power and genius of my honorable friend, I would never dream of making any such offer; but I can say this very distinctly: that in half a week, by the aid of the remarkably able men we have as permanent Civil servants, I could make a Ministerial statement on almost any question within the scope of our New Zealand administration. If it is not wandering from the subject, while I am on my legs I may state my complete disbelief in the reasons assigned by the members occupying those benches for the delay which has taken place in the propounding of their policy and the elaboration of their schemes so far as publication in this House goes. The Civil servants hold the same relation to the public administration of the colony as the sergeants hold to the army. These men are the source from which the honorable gentlemen on those benches get their information and their facts—these men are the custodians of the administrative history of the colony; and I believe that any Ministry succeeding to office, and the honorable members who now hold those seats, might be sufficiently informed, additionally to the information they have obtained as public men for years past, to bring down a satisfactory Ministerial statement in a week. I shall certainly oppose this Bill, and it is my deliberate opinion that the public will see its real value.

Mr. BOWEN.—I do not wish to delay the House, but I must state the reasons for which I shall oppose the proposal of the Government. It is no doubt a somewhat unpleasant thing for any one who has been more or less connected with the Government to speak on this matter—just as disagreeable as it is to have the

question of salary and allowances constantly discussed. I do not wish unnecessarily to impute motives to the Government for having brought down this Bill. We must always assume that honorable gentlemen who hold the position of Ministers of the Crown are gentlemen, and, Sir, I hold that they themselves ought to feel, as other gentlemen in the House feel, that these are questions which must be dealt with fairly on their merits, and not talked about in a manner to make it disagreeable to men who hold high offices in the State. The reason which has been given by the Government for making this reduction—the tangible reason—is that they desire to strengthen their hands in order to be able to reduce the salaries of the higher Civil servants. Now, I join issue at once on that point, and I know something of the Civil Service.

Mr. J. O. BROWN.—Hear, hear.

Mr. BOWEN.—Yes, Sir, I was for a long time a Civil servant, and I believe I fairly did my work when I occupied that position. I have also learnt something of the Civil Service since, as a Minister, and I am perfectly satisfied that there are no salaries that can fairly be cut down. It is possible—and I know that there was a great desire in that direction on the part of the late Government—that some of the offices might be amalgamated. But one of the falsest policies that any Government could follow is that of keeping officers who are doing their work on starvation pay. I was reading only the other day a very remarkable paper in an old number of the "*Revue des Deux Mondes*," in which a well-known author attributes the great success of the English policy in India to the enlightened view the East India Company took of the manner in which its servants should be paid. The article attributed a great deal of their success to the fact that the Indian officials, who had onerous duties to perform, were placed in such a position as not to be harassed or troubled by pecuniary considerations; and I think the writer was perfectly right. With regard to the Civil servants here, this colony is one in which the cost of living is very high, and I am satisfied that the Civil servants, with large families to maintain respectably, cannot attend to their duties at lower salaries than they are now receiving without being subjected to considerable pecuniary care and anxiety. I therefore hope that the Government will not attempt to reduce their salaries. With regard to the question of Ministerial salaries, those gentlemen who fancy they can estimate what it costs Ministers to live in this place are entirely wrong if they think that a family can live here, when taken away from their home, without any extravagance whatever, on £1,000 a year. They cannot do it with the necessary expenses thrown upon Ministers. And, what is more, they cannot do it even for the salary that is given. The expenses, honorable gentlemen will find, are very large indeed. Ministers, when they leave their homes, carry a very large number of expenses with them. Their duty in the matter of subscriptions, for instance, follows them, and their expenditure in this and many other respects becomes doubled.



The cost of moving is very great, and, notwithstanding what has been said, Ministers will find that they will have to bring a very large quantity of effects with them to Wellington if they come with a family, and they will discover that altogether their expenses far exceed what some honorable gentlemen seem to think necessary. I think, therefore, that it is very unwise to make a reduction, which is a paltry one so far as the saving to the country is concerned, but which will have a material effect upon the comfort of individuals. I think it is a mistake, and I think it is beginning at the wrong end altogether. If the Government really desire to economize, they will not effect their purpose by striking a few hundred pounds off salaries, while hundreds of thousands are added to the Supplementary Estimates. All the salaries are low enough, and nobody is paid too high in this country for public service; any reductions in departmental expenditure should be by amalgamating offices. The Minister of Justice said he thought there was not sufficient power on the Government bench, and that there ought to be eight Ministers in this House. I have thought for some time that there ought to be an additional Minister, but not in this House. I think there might be another Minister in the other Chamber. I do not think the voting power of the Ministry in this House should be increased; but, speaking from experience, I know how hard-pressed Ministers are with departmental work, and I believe another Minister may be required on that account. I do not believe at all, however, in the Parliamentary Under Secretaries. The state of affairs in England is very different from that which obtains here. There are over 650 members in the House of Commons, and there is a very broad distinction between the members of the Government who are in the Cabinet and Under Secretaries who are not. I should like to know whether there would be such a distinction maintained here. Would not these Parliamentary Under Secretaries be always running in and out of the Cabinet-room, and would the members of the Cabinet be able to keep anything from them, or to make any distinction whatever? They would be Ministers to all intents and purposes, and we should practically have eight Ministers in this House instead of six. I do not think that that idea of the Parliamentary Under Secretaries will be at all a practicable scheme. For the reasons I have just mentioned I shall certainly oppose this Bill. I think it is a very unwise measure, and that it is more unwise for the reason given for its introduction—namely, that it will strengthen Ministers' hands in cutting down the salaries of the Civil servants.

Mr. ROWE.—I perhaps entertain some very peculiar views upon this question. While I am very anxious indeed to vote for measures of economy, I think this is really beginning at the wrong end. I believe that some very different distribution should be made, and that some corrections might be effected in the Ministerial salaries. I should be exceedingly sorry to see the number of offices increased in the House, because I think there are enough. Ministers and their friends exercise a very large influence in the

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House as it is at present constituted, and if we were to increase the number of Ministers the influence they would exert in the House would not be at all in the direction of what is good and right for the welfare of New Zealand. My honorable friend the member for Riverton talked about America, and about the low salaries there, but I will ask him if he would like to see in this country the amount of corruption and depravity, and—to use a word which has been used elsewhere—roguey that has occurred in connection with the working of the institutions of America. We should vote adequate salaries for those Ministers who live in Wellington. I do not at all agree with a great deal that has been said. If the public officers in America had been adequately paid for their services there would not have been greater corruption, but probably very much less. I have a very great dread that the Legislature and the power in this country will ultimately fall into very few hands indeed. I said last year that the legislation of years gone by tended in that direction—that the power, and the influence, and the administration of the affairs of the colony would ultimately fall into very few hands. I trust that that will never be the case; but, if you are to provide against that, you must not allow the position of things in New Zealand to fall into such a state that men, I will say, of ordinary ability, men who are placed in comparatively poor circumstances, shall have no opportunity to raise their voices or exercise their influence in this House in connection with the government of the country. I have not a particle of faith in the patriotism of the reductions proposed in this Bill, but I believe that some alterations may be made in it so as to make it useful. I think there is at present too great a distinction between the salary of the Premier and that of the other members of the Ministry. The proposal to have two Native Ministers is, to my mind, altogether wrong, and I believe one would be quite sufficient. The salary provided is altogether inadequate, and I would have one Native Minister and increase his salary. The number of Ministers proposed in this Bill is such that each Minister would represent about 50,000 inhabitants of New Zealand. According to the information laid before us there are about 47,000 aboriginal natives, and I cannot conceive why there should be two Native representatives for 47,000 people while there is only one European representative for 50,000 people. It would be much better, if any saving is to be effected, that the Premier's salary should be fixed at £1,500, that we should do away with one Native Minister, and that the salary of the Native Minister who is retained should be increased to £600. If this Bill goes into Committee I shall certainly propose an amendment in that direction. I am not at all disposed to believe in the doctrine which I have heard laid down this evening, that there is not to be any hospitality in Wellington, and that if it is exercised it will exert a corrupt and depraving influence. If Englishmen are characterized by anything it is by the love of hospitality, and will any gentleman say that the love of hospitality and the exercise of hospitality have resulted in

any injury to the English character? Nay; and I trust that spirit will not die out in New Zealand, and I am not afraid of the evil influences which the exercise of hospitality would exert upon the people of New Zealand. I have heard no reasons whatever for the proposals in this Bill, and I trust they will not be carried out. I dare say that those of us who vote against the proposals in the Bill will incur some amount of unpopularity, but that is not a matter which ever influences my judgment in questions that come before us for discussion, and, while I shall not vote for the Bill going into Committee, if it does reach that stage I shall certainly vote against the sums set down opposite the various offices mentioned in the Bill.

Mr. GIBBS.—Sir, I had intended to vote in favour of this Bill, but my resolution has been very much shaken after hearing the speech of the Minister of Justice. The very fact of his expressing his intention to increase the number of Ministers does not seem to me to tend towards economy. While I see very great objection to increasing the voting power of the Ministry in this House by increasing the number of Ministers, the introduction into this House of Under Secretaries is to me a matter which must be looked at very seriously. I have the strongest objection to any such proposal, and if anything would shake the resolution I had previously formed to vote for the Bill it would be that proposal.

Mr. HUNTER.—Sir, my objections to this Bill are mainly based on grounds similar to those which were urged by the honorable member for Christchurch City (Mr. Moorhouse). I do not think we should support it because it is brought forward on the plea of affording the Government an opportunity of reducing the salaries of the Civil servants. I do not think that this is practicable to any appreciable extent. We who are acquainted with the Civil Service know that there are only two or three officers in that Service who receive salaries equal to £800 a year, only six or seven who get from £500 to £600, and there are very few who get much above £400 a year, and in very many cases the salary is far below that sum. Supposing it possible to take off, say, £150 from those who receive £800 a year, and £100 from those who receive £600, that is about as great a reduction as could possibly go, so that in the way of economy by any fair reduction of salaries no appreciable result would be obtained. The zealous way in which these Civil servants, as a rule, discharge their duties is known to you, Sir, and to others resident in Wellington, and if any reductions are to be made at all they must be made by reducing the number of persons employed. I am not prepared to say that that is impossible, because I have not sufficient knowledge of the duties to be able to express a confident opinion. I am quite satisfied that no reduction worth speaking of can be made in the salaries of the Civil servants. Perhaps a few thousand pounds might be taken away from old and faithful servants of the General Government and various Provincial Governments; but that would be all. I cannot, therefore, support this

Bill in order that it may be made use of in that way. With regard to the salaries of Ministers, I may say that I do not think they are too high. If the country is to be well governed it is desirable that it should be governed by men who are not attracted to office by the salary attached to it, but who, from their position, are entitled to the confidence of the people. Something has been said about the selection of members of the Ministry being confined to members of Parliament resident in and about Wellington, but most honorable members must be aware that it is some years since any member representing a Wellington constituency occupied the position of a Minister of the Crown in this colony.

Mr. MONTGOMERY.—Sir, one of the arguments used in this debate was that it was the money which induced men to take the position of a Minister. Now, members come here at very great personal inconvenience and loss, influenced by the desire to take part in the management of the affairs of the country, and by the very laudable ambition to exercise an influence for good over their fellow-men. I think that is the inducement which brings men to this House. Men taking part in public life are willing to make considerable sacrifices, and most of them to forego the chance of becoming rich, in order to occupy the position of public men and do some good for the country. Honorable members come up here for four or five months of the year at great loss to themselves, and only get £150 for doing so. I know that would not pay the house rent of some of them. If that be so, why should a Minister have more than £1,000 a year and a free house? I understand that the free house will be retained, or house-rent allowed. I do not see why we should give public money so that entertainments may be given. It is altogether inconsistent with the simplicity of our public life. If we cannot exercise influence among our fellow-men without having recourse to entertainments, and to spurious influence of that kind, which is wholly contrary to the spirit of good government and democracy, I venture to say we are not fit for free institutions. I do not often differ from the Native Minister, but I object to his statement that this reduction is made in order to reduce salaries. I do not believe that the public officers are highly paid here, or in any part of the colony, because if you do not pay the public servants well you will not get good men. I do not say that high pay will make good men out of bad ones, but you will not get good men for low pay. If a merchant wants a good man he has to pay him well, because, if he does not, there are other merchants who will be glad to do so. I do not think you could get good men below the pay now given to public officers. I believe you could reorganize and very materially reduce the number, and so expedite the work. That can only be done by Ministers; it will never be done by the Civil servants themselves. If Ministers have not a love for taking part in public affairs and influencing the destinies of the colony, no amount of salary will make them true and good men. I hope the Bill will pass. I should be inclined to make an exception in favour of the Premier, and

give him £250 a year more than any other Minister; but, whether that is done or not, I hope the Bill will pass. I hope, also, that residences will be granted, or house-rent allowed. I trust honorable members will not be influenced by the argument that £1,000 a year is not sufficient salary for a Minister. To a man of moderate means £1,000 a year will be a good income, and if a Minister is a man of means he should not put a salary in his pocket at all.

Mr. KELLY.—When the proposal was brought before the House, in 1873, to increase Ministers' salaries I voted against it, and I felt free at any future time to attempt to restore the salaries to their former amount. I shall vote for the Bill now before the House for these reasons: We should bear in mind that Ministers are a committee of management for members of the House, and sit on those benches temporarily to carry on the business of the country—they do not hold permanent offices; and officers of a political character should not be paid very high salaries. If the salaries of Ministers are fixed as high as if the Ministers were permanent officers, then the Ministerial portfolios will be objects of such ambition to members of the House and throughout the country that they will be sought for with more fervour than at present. I do not think that would be beneficial to the colony, and it would be destructive of a sound practice of Parliamentary government. The great object should be to pay the expenses of Ministers while they hold their positions, and inducements ought not to be offered to Ministers to hold office longer than was for the benefit of the country. Honorable members talk about the sacrifices Ministers make; but if gentlemen occupy such positions they must be prepared to make sacrifices. They get compensation for such sacrifices, although not a money compensation. They receive compensation in occupying positions of rank, influence, and power in ruling the country. Bearing in mind that those salaries are attached to offices of a temporary character, I think the amount now proposed is quite sufficient. With regard to the number of Ministers, I think an additional Minister would be an advantage to the country, and for this reason: Hitherto the country has been governed from various centres. Now, however, that all the business of the country has been undertaken by the House, no doubt there will be a great increase of work. I think a radical change is required in the administration of colonial affairs. Hitherto all the departments have been acting independently of each other, and there has not been that unity of action which is desirable in the administration of the affairs of the country. I think that the Premier should be entirely free from any department, so that he might have a general supervision of the whole of the departments, and know everything that is going on in the other departments. As far as I am informed, under the present system the Premier does not know what is going on in the other departments, and does not thoroughly grasp the whole administration of the colony. I do not think that reducing the salaries to £1,000 will have any effect whatever in regard to secur-

*Mr. Montgomery*

ing good officers to carry on the administration. I know that up to 1873 there was no difficulty. The offices were always filled with the best men in the House; and for the future, even if this proposal is carried, I do not think there will be any difficulty.

Mr. MURRAY.—I regret that there is so much apparent opposition to this Bill, because there is no measure more likely to effect good than the reduction of the great extravagance of Wellington. I would not have spoken now were it not that the Native Minister was somewhat severe upon the honorable member for Clutha. At any rate I do not think he should have attacked his friends. The honorable member for Clutha was not at all out of place in referring to honorable members dancing. I do not know to whom he referred—perhaps the honorable member beside him; but I do not think the honorable member for Riverton is at all likely to be charged with dancing with Ministers' wives. Perhaps the honorable member for Port Chalmers was referred to. I think the honorable member for Clutha made some very sensible remarks about the growing extravagance of Ministers, leading to the feasting and love of costly display which have so increased in Wellington for some years past. A Ministerial dinner cost, it was said, from £30 to £40. The pernicious influence of this extravagance finds its way even into the Legislature. A member cannot sit down to a Minister's dinner and on the same evening vote to deprive him and his family of bread. The arguments used point to the conclusion that all Ministers go into office for the sake of the "almighty dollar," and not for the good of the country. This will not be verified if we pass this Bill. As for Under Secretaries, they would simply be paid whips, and I would strongly object to any proposal for the appointment of Under Secretaries, or for increasing the number of Ministers in the House or in the Legislative Council. It has been said by the honorable member for Kaiapoi that we are beginning at the wrong end. Does he propose to begin at the other end, and reduce the salaries of the underpaid clerks?

Mr. BOWEN.—The honorable gentleman knows perfectly well that I distinctly said I did not mean that.

Mr. MURRAY.—I suppose there are only two ends, the top and bottom. The honorable member for the Thames (Mr. Rowe) referred to the corruption which prevailed in America. Does he mean to say that Washington was corrupt, because he served his country for a very small salary? The Tammany Ring consisted of very highly-paid officials, but high salaries did not keep them honest. It is not a matter of money, but of principle and patriotism. I hope the Bill will pass without further opposition.

Mr. MURRAY-AYNSLEY.—The last speaker mistakes the position altogether. If you reduce the salaries of Ministers too low you will get either men of means or needy men to take office. Any man of ordinary means requires his expenses to be paid whilst he is a Minister of the Crown, as he has to keep up appearances. Some years ago living in this country was much cheaper than at

present. £1,000 ten years ago would go much farther than £1,250 now. I would not propose reducing clerks' salaries, but I would go in for reducing the number, and paying the officers well, so as to get full work from them. Economy will be much better secured in that way than by reducing the salaries of Ministers, who are looked up to with respect. A Minister comes up here for, perhaps, six or nine months, and probably he has to keep up his own establishment in some other part of the colony. I certainly hold that it would not be too much for us to give £1,250 to Ministers, who have all the responsible work to do, when last year we voted £200 for ourselves. The proportion is out of all reason. It would be a great mistake to reduce the salaries to £1,000.

Mr. REES.—I think the disproportion is all the other way. There are professional men in this House who live entirely upon the profits of their own work. They spend five months of the year here, and they receive £150 or £200 a year for it. That is out of all proportion: but, according to the honorable gentleman, because another member happens to be a Minister, and receives a salary of £1,000, it is out of all proportion. Members of the House really assist to do the work of the Ministers, but they get nothing for it. Their passages are paid, but they do not receive enough to bring their families to Wellington—they get barely enough to pay their own expenses. And yet it is said that Ministers are underpaid when they get three times as much as other honorable members. The honorable gentleman's argument does not hold good in the slightest degree. I do not wish to see salaries cut down, but the statement that persons could not live on £1,000 a year is all nonsense. A bishop does not get more. How many schoolmasters get so much? How many professional men get it? How many men are there who educate a family and bring their sons and daughters up as ladies and gentlemen on £300 or £400 a year? The idea that £1,000 a year is not enough to live on is simply nonsense. I hope the Bill will be passed, for the sake of laying down the principle that the public work of the colony is to be done as economically as possible.

Mr. ORMOND.—I do not think the proposition of the honorable gentleman as to the comparative remuneration of Ministers and other honorable members has been completely argued out. The positions are totally different. Previous sessions have not lasted as long as this session, and it is possible that future sessions may not be so long, although I am aware that there are different opinions about that. As a general rule, members have not thought it necessary to bring their families to Wellington; consequently the allowance they have received has been of a moderate character. The position of Ministers is entirely different. They are compelled to live in Wellington, and must, as a matter of necessity, have their families about them. It must be remembered, also, that we should not look forward to Ministers occupying their seats on those benches for a few months only. That would indeed be a bad state of things to look forward

to. If that is to become the practice of the country, the administration will not be so good as it ought to be. Ministers become efficient by practical acquaintance with the duties of their offices, and the knowledge they gain of public affairs is certainly an aid to them in carrying on their business. Of course we shall have periodical changes of Government. That is a necessary outcome of the form of government under which we live. The honorable gentleman then referred to the professional men in the House. As far as I can see, the professional men have the best of it, especially those leading men who are in the foremost rank of their profession. They find a great many other things which fit in with their legislative duties. They are able to attend the Court of Appeal, and are able to do a large amount of business which ordinary members cannot do. Ordinary members have to leave their ordinary avocations, and must get other people to attend to their business while they are here. I differ very much from the objections taken by the honorable member for Bruce to the arguments of my honorable friend the member for Kaiapoi. The honorable member said my honorable friend derided the idea of going in the direction of economy. As I understood the honorable member for Kaiapoi, he said that in reducing the salaries of Ministers the Government were going in the wrong direction. I did not understand him to speak with regard to the salaries of the clerks. "Beginning at the wrong end" were the words he used. I also understood him to say that the Government were doing many other things that were not economical; that in bringing down the provincial liabilities they were not economical; and that in being parties to letting the public lands of the colony be thrown away they were not economical. Those are the matters that I understood the honorable member for Kaiapoi to refer to, and those are large questions beside which the taking of £250 off the salary of a Minister is altogether insignificant. Talk of economy! Why, Sir, what have we been doing for the last month? The Government have brought down proposals by which the Land Fund is sought to be generalized; and what have we done? We have annihilated that fund by setting aside most of the available land for works of different kinds; and at the same time we talk about economy. It is trifling with the subject to say that we are moving in the direction of economy because we are saving £1,500 on the salaries of Ministers. The Minister of Justice advised us to allow this alteration to be made for, at least, the term the present Government hold office. I do not think the House will agree to any spasmodic action in the matter of Ministers' salaries. If we are going to make a change it must be regarded as applying not only to the present occupants of the office, but to future Ministers. We must deal with the question as if we were about to take a definite course in regard to the salaries of Ministers. The honorable gentleman also referred to the question of a dissolution. I forget how his remarks applied, but I think he said that there were members on both sides of the House who, in the event of a disso-

lution, might not come back. But we have not heard so much of the proposed dissolution lately. Before the policy of the Government was on the floor of the House we heard a great deal about it, but since that policy has been determined upon, and since they have decided to generalize the Land Fund, we have ceased to hear anything about a dissolution. I do not know why that is so. I do not know whether it is that gentlemen who represent constituencies in the southern part of the colony are not so enamoured of the idea as they were. I do not know whether the Minister for Lands and the honorable member for Akaroa are now in favour of a dissolution.

Mr. MACANDREW.—Oh, yes, to-morrow.

Mr. MONTGOMERY.—Hear, hear.

Mr. ORMOND.—Well, there is no doubt that there has been a change, and that since the Government policy has been announced we have not heard so much about a dissolution. I was surprised to hear the Minister of Justice make any reference to the subject. In kindness to his friends I think he might have left that matter alone. I am reminded, in reference to this matter of a dissolution, that the Native Minister on a recent occasion said there was no longer any necessity for a dissolution, and I heard remarks around me to the effect that that was very reassuring to some honorable members who followed the Government. There is no doubt that it was so, but, if public report is correct, at the very time the honorable gentleman was assuring us of that, we heard, by means of telegrams from other parts of the colony, that a dissolution was being pressed on the Governor by the Premier. Now I cannot understand how it was that my honorable friend was so disingenuous as to keep back that information from the House. Why, if we can believe public rumour, a request for a dissolution was being pressed by the Government upon the Governor. Of course we only know this by rumour, but if the rumour is correct the position is as I have described it. The honorable gentleman, at the end of his speech, was not very urgent in pressing this measure, and I was reminded very much, while he was speaking, of an honorable gentleman who used to take charge of the honorarium question. He annually moved a motion for the reduction of the honorarium, and made speeches which ended very much as the Native Minister's speech ended. I do not apply the remark to the Native Minister any more than to anybody else, but it struck me at the time that the result of the speeches was very similar. I always noticed that the gentleman to whom I have referred was excessively pleased when the honorarium motion ended, as it always did end, in nothing, and it is possible that many gentlemen on that side of the House will feel in regard to this Bill as that honorable gentleman did in regard to the honorarium motion. I hope the Bill will not be agreed to.

Sir G. GREY.—Sir, the objects of this measure have been most seriously misrepresented and greatly misunderstood. It has been represented that the main object contemplated is, that the Ministry, by reducing their own salaries, will be

Mr. Ormond

enabled to reduce those of other persons. Now, the great objects which we have in view are very different from that. What we feel, and what we sincerely believe, is that a system of gross extravagance has grown up in this country—a system of gross extravagance in the Government, and which has spread from the Government to other bodies in the community. The Government set an example, I may say, to the whole of the colony of what, in their opinion, a Government should be. If that Government is thoroughly extravagant, if that Government considers high salaries necessary for the maintenance of good government, it is quite certain that all those local bodies we have established will follow the example set them by this General Government, and that a system of extravagance will be propagated throughout the whole colony. We believe that, in order to diminish the extravagance already existing, it is our duty to set an example that the government may be carried on at a much less cost than has been the case heretofore; and we desire to show our full belief that such is the fact by proposing, in the first instance, that the salaries of Ministers should be reduced to an amount which we believe to be ample. It was with that view particularly that we introduced the measure. It has been said that, because the saving effected by it is so small, because it is only a few thousands, it is a paltry measure. But that mind must be narrow indeed, and capable of only a very small conception, which measures the effect of this Bill by the number of thousands saved. We believe that a measure which shows that the Government is determined to enforce economy in every one of its branches and ramifications throughout the colony, is a great measure in reference to the public service itself, and in reference also to the whole community, as affording a good example. We believe that such a measure, following, as it will, on a career of gross extravagance, is a great measure, inasmuch as it is a rebuke to a system which we believe should not have existed, and to which we intend to put a stop; and we intend to administer such a rebuke by this Bill. It has been asked why, if we were determined to reduce the salaries of Ministers, we should not cease to draw them. That would be no example at all: it could have no effect upon the community. It would have been an unwise proceeding. We determined, instead of doing that, to enact by law that the salaries of Ministers should be reduced to what we believed was the proper amount, and to take care by so doing that they were reduced by the people's representatives, that they could not be increased again until the assent of Parliament had been given, and until the sense of the country had been expressed, on the subject. Complaints have been made in this House that Ministers hold too many offices; that a Minister has, in point of fact, to sign papers in too many capacities. The answer to that is, that we believe the departments have been broken up into too many parts; that we do not believe that any one department affords sufficient work for one Minister. Therefore, the holding of several offices by one Minister shows nothing except that one

office is not sufficient to occupy the time of one man: it affords an absolute proof that great consolidation of the departments may be made, and it is to that we must look for a large reduction in the public expenditure. Remarks have been made, and I was sorry to hear them, regarding the corruption which prevails in the United States. Now, I speak from personal knowledge of the subject, and I say that the corruption in the United States has been shamefully exaggerated. On a previous occasion I amused myself by studying the matter; and I found that the acts of corruption which prevailed in the United States had prevailed in Great Britain within a very short period of time. I will take one remarkable case, that of the Tammany Ring, in New York, and I will narrate a similar case which occurred in London within my own lifetime. I recollect that in my youth a Parliamentary Committee sat to investigate just such another case as that of the Tammany Ring. It occurred in the Parish of St. Pancras, in London. The difference between the two cases was this: In each, large sums of public money were appropriated by private individuals for their own use. In the United States, the parties guilty of that appropriation were tried and sentenced to long terms of imprisonment; but in the St. Pancras case the individual who was prosecuted actually escaped punishment, in consequence of the corruption that was practised and the large bribes that were given to certain individuals who were concerned. It was Lord Ellenborough who tried the case. The clergyman of St. Pancras, who was a man of considerable private wealth, himself instituted a prosecution against the person who had appropriated the whole of the funds belonging to the parish, to the extent of over £200,000. The party was arrested, and on the morning on which the trial was to take place the clergyman was waited on by the attorney who was conducting his case. The attorney asked him whether he was going to attend in Court during the trial, and he said "Yes." Then the attorney told him that he was sorry to hear it, because the people of the parish would consider that he was guilty of a most unchristian act, if he attended the Court for the purpose of witnessing the punishment of the person whom he was prosecuting. Therefore he determined not to appear in Court. The prisoner was put in the dock, and pleaded "Not guilty;" and then the counsel for the prosecution got up and said he was directed by the attorney to state to the Court that an entirely satisfactory explanation had been given; that the accounts of the prisoner had been examined; that it had been proved that he had committed no robbery; that his accounts were correct; and the prisoner was then acquitted by the Judge's direction, and when he was leaving the Court Lord Ellenborough congratulated him, and said that he left the Court without a stain upon his character. That occurred in Great Britain. The men who had acted similarly in the United States were convicted and sentenced to imprisonment. The corruption was the same in both cases. I will now say that some honorable gentlemen who

have spoken to-night have laid down this most pernicious doctrine that corruption depends on the smallness of salaries. I say that the times when corruption has been most prevalent have been those when salaries have been largest. The salaries paid to the officers of the Government in the time when the House of Hanover first occupied the throne were enormously large, and it was at that period that the greatest corruption prevailed in Great Britain. History shows us that corruption depends upon the largeness of salaries, and not on the smallness of them. I defy any honorable gentleman to adduce proofs to the contrary. Therefore, that most pernicious doctrine falls to the ground. Now, it has been argued that the present salaries should continue because it is right that Ministers should entertain people. I will make no remark about the entertainment of members, but I will say that if you require Ministers not only to do their duty as Ministers, but to dispense public money in dinners and balls, you will place a heavy incubus upon your Ministers. I will not hold office if I am compelled to entertain persons at dinners and balls, and by so doing to injure my health and waste your money. The honorable member for the Thames (Mr. Rowe) has said that Ministers should show some hospitality. I say that true hospitality is shown by having a few friends assembled round your table without your being put to the necessity of incurring extra expense. Hospitality is shown by having your friends visiting at your house without extra expense. Hospitality is not shown by pouring wine down the throats of your visitors, and giving costly dinners to those who care nothing for you. That is not hospitality. I say, if you call upon your Ministers to act in that way, you will not get men to serve your country well. I was surprised to hear the honorable member for Clive adduce some of the reasons he did in defence of these large salaries. His argument was that Ministers were obliged to bring their families to Wellington, and that consequently their position was different from that of other members of the House. He said the position of Ministers was different from that of other members, because they had to support their families in Wellington. I answer that the member who comes here and leaves his family at home has two households to support, and consequently he is put to more expense than the Minister who has only one home to maintain. Besides, the member has to leave his children and his friends, and the home to which he is attached; in fact, he has to leave all his friends, and his expenses exceed those of a Minister who lives in Wellington in a luxuriously-furnished house paid for by the public, and has his family here. That is no argument at all. Honorable members say to us, "You talk of making this small reduction in your salaries for the sake of retrenchment, and yet you pay provincial liabilities which you have no right to pay! Is that economy?" Sir, is it honest to pay your debts? Is that extravagance? Was such a doctrine ever preached before? Repudiation of a shameful kind—is that economy? No: true economy is to reduce our expenditure to the lowest limits, to pay all we owe, and to wrong

none. Honorable gentlemen say to us, "You talk to the colony of reducing your salaries, while you allow the public lands to be thrown away!" What is throwing away the lands of the colony? Is it making harbours for the benefit of commerce and for the purpose of enabling people to import what they require and to export what they produce? Is that throwing away money? I answer, No. But, Sir, the giving unlawfully to your friends large grants of land—is that economy? Is not that throwing away money? I say it is. Is wronging the Natives, taking away their lands from them by wrongful means, thus raising the hatred of the Native race towards us—is that economy? No, Sir; it is, for selfish ends, to bring distress on the country. But when this House, instead of being asked to contract loans and to give extravagant salaries to agents sent Home to negotiate them, is asked to reduce salaries and to place Ministers in a position to boldly carry out their plans for reduction of expenditure, that is a different thing altogether. We think that the money raised by this colony should be used in improving the public lands of the colony, in making great public works, and in increasing the facilities for the people to get their produce to the market. That is the policy we propose; and we say that when we ask the House to allow us to take the first step in that policy it has no right to refuse. Then the question of dissolution was raised. I do not know what that had to do with this Bill at all. I cannot conceive why that question was brought in. I may simply state that information has been obtained from sources to which access should not have been had. Things have been attributed to me in the public prints which I have never seen and never heard. I believe such is the case; but such insinuations we disregard. The Minister of Justice cares nothing for such insinuations as that. The mere fact of our opponents having recourse to such arguments to show that this measure is not a good one, is the best possible proof that it is a good measure. A mind which could descend to make such insinuations as we have heard against a great measure of the kind, is a mind incapable of understanding what we think should be done to reduce the extravagant expenditure now going on in this colony. I hope the House will assist us in the course of economy upon which we wish to enter. If the first step we propose to take in this direction is to be prevented, and we are not to be permitted to proceed, it is but small encouragement for us in setting ourselves to meet the difficulties that are before us. Those who plunged the country into its difficulties, who have wasted the resources of the colony by giving enormous salaries to their friends—a salary, in one instance brought forward the other night, surpassing the salary which Britain gave to a great Minister when representing his country abroad—should not be permitted to check us when we come forward and try to prevent such things. The House should support us—should give us the aid for which we look—should say, "You tell us you wish to enter upon a course of economy; you tell us you believe you can accomplish a great good by entering upon that career

*Sir G. Grey*

and following it up; and you tell us that if you are intrusted to do this it will greatly assist you if we enable you to reduce the salaries of Ministers. We will aid you in that respect." That is what the House ought to say. If we had come down demanding great sums of money, we might properly have been refused; but when we ask for modest reductions which would have a good effect, I say that the House ought certainly to aid us.

Question put, "That the words proposed to be left out stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	81
Noes	...	...	...	...	31

#### AYES.

Mr. Baigent,	Mr. Macfarlane,
Mr. Ballance,	Mr. Montgomery,
Mr. J. C. Brown,	Mr. Nahe,
Mr. J. E. Brown,	Mr. O'Rourke,
Mr. Bryce,	Mr. Rees,
Mr. Dignan,	Mr. Sheehan,
Mr. Fisher,	Mr. Stout,
Mr. Gisborne,	Mr. Swanson,
Sir G. Grey,	Mr. Takamoana,
Mr. Hialop,	Mr. Thomson,
Mr. Hodgkinson,	Mr. Tole,
Mr. Hursthouse,	Mr. W. Wood,
Mr. Joyce,	Mr. Woolcock.
Mr. Kelly,	<i>Tellers.</i>
Mr. Lumden,	Mr. De Launour,
Mr. Macandrew,	Mr. Murray.

#### NOES.

Major Atkinson,	Mr. Ormond,
Mr. Barff,	Mr. Reid,
Mr. Beetham,	Mr. Reynolds,
Mr. Bowen,	Mr. Richardson,
Mr. Burns,	Mr. Rowe,
Mr. Curtis,	Captain Russell,
Sir E. Douglas,	Mr. Seymour,
Mr. Fitzroy,	Mr. Sharp,
Dr. Henry,	Mr. Stevens,
Mr. Hunter,	Mr. Taiaroa,
Mr. Johnston,	Mr. Tawiti,
Mr. Kennedy,	Mr. Teechemaker,
Mr. McLean,	Mr. Wason.
Mr. Moorhouse,	<i>Tellers.</i>
Captain Morris,	Mr. Rolleston,
Mr. Murray-Aynaley,	Mr. Sutton.

Mr. SPEAKER.—It devolves upon me to give a casting vote. I feel that I must vote in the direction of economy, although I cannot go to the extent proposed by the Bill. I therefore give my vote with the Ayes.

The Bill was consequently committed.

#### IN COMMITTEE.

Mr. ROLLESTON moved, That the Chairman leave the chair.

Question put, "That I do leave the chair;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	32
Noes	...	...	...	...	30

Majority for ... .. 2

## AYES.

Major Atkinson,  
Mr. Barff,  
Mr. Beetham,  
Mr. Bowen,  
Mr. Burns,  
Mr. Curtis,  
Sir R. Douglas,  
Mr. Fitzroy,  
Dr. Henry,  
Mr. Hunter,  
Mr. Johnston,  
Mr. Kennedy,  
Mr. McLean,  
Captain Morris,  
Mr. Murray-Aynsley,  
Mr. Ormond,  
Mr. Reid,

Mr. Reynolds,  
Mr. Richardson,  
Mr. Rowe,  
Captain Russell,  
Mr. Seymour,  
Mr. Sharp,  
Mr. Shrimski,  
Mr. Stevens,  
Mr. Sutton,  
Mr. Taiaroa,  
Mr. Tawiti,  
Mr. Teschemaker,  
Mr. Wason.

*Tellers.*

Mr. Moorhouse,  
Mr. Rolleston.

## NOES.

Mr. Baigent,  
Mr. Ballance,  
Mr. J. O. Brown,  
Mr. Bryce,  
Mr. De Lautour,  
Mr. Dignan,  
Mr. Fisher,  
Mr. Fitzherbert,  
Mr. Gisborne,  
Sir G. Grey,  
Mr. Hislop,  
Mr. Hodgkinson,  
Mr. Hursthouse,  
Mr. Joyce,  
Mr. Kelly,  
Mr. Lumsden,

Mr. Macandrew,  
Mr. Macfarlane,  
Mr. Montgomery,  
Mr. Nahe,  
Mr. Rees,  
Mr. Sheehan,  
Mr. Stout,  
Mr. Swanson,  
Mr. Takamoana,  
Mr. Thomson,  
Mr. W. Wood,  
Mr. Woolcock.

*Tellers.*

Mr. Murray,  
Mr. Tole.

The motion was consequently agreed to, and the CHAIRMAN left the chair.

The House adjourned at half-past twelve o'clock a.m.

## LEGISLATIVE COUNCIL.

Friday, 30th November, 1877.

First Reading—Second Readings—Third Readings—Bill Discharged—Call of the Council—Gisborne Harbour Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

## PRAYERS.

## FIRST READING.

Greenwood Pension Bill.

## SECOND READINGS.

Nelson Rifle Prize Bill, Taranaki Roads and Bridges Bill.

## THIRD READINGS.

Public Libraries Subsidies Bill, Southland Boys' and Girls' High School Bill, Balclutha Athenaeum Bill, Taranaki Roads and Bridges Bill.

## BILL DISCHARGED.

Waikato Port Bill.

## CALL OF THE COUNCIL.

On the roll being called, the following honorable members were absent: The Hon. Mr. Bonar, the Hon. Mr. Campbell, the Hon. Mr. Gray, the Hon. Mr. J. Johnston, the Hon. Mr. Kohere, the Hon. Dr. Benwick, the Hon. Mr. Rhodes, the Hon. Mr. Scotland, the Hon. Mr. Stokes, the Hon. Mr. Taylor, and the Hon. Mr. Waterhouse.

The Hon. the SPEAKER said he had received a telegraphic communication from the Hon. Mr. Bonar, whose medical adviser said it was absolutely impossible for him to attend. With reference to the Hon. Mr. Gray, he had received a medical certificate of the honorable gentleman's inability to be present. He received an intimation early in the session from the Hon. Mr. Kohere that circumstances connected with his building a house would prevent him from attending the Council. The honorable gentleman resided in a remote district, and probably the call of the Council had not reached him in time. With regard to the Hon. Dr. Benwick he had received information that the honorable gentleman had obtained leave of absence for the session from His Excellency the Governor, and, under the circumstances, he had telegraphed to the honorable gentleman that his presence would not be necessary. There was a medical certificate from Dr. Kemp, saying that the Hon. Mr. Rhodes was unable to attend. Mr. Stokes and Mr. Waterhouse were absent for the session by leave of his Excellency the Governor. Mr. Scotland and Mr. Taylor were away in England.

The Hon. Dr. GRACE explained that the Hon. Mr. J. Johnston was unavoidably absent owing to an attack of bronchitis. He left Wellington for a few days on account of his illness, and would probably return by Monday.

The Hon. the SPEAKER said he had received a telegram to that effect, and no doubt the Council would be satisfied with the explanation. He had received no communication from the Hon. Mr. Campbell. He was unable to say whether or not his telegram had reached the honorable gentleman; it was addressed to his usual place of abode. It was just possible that the honorable member might be in attendance later in the day. If not, he would submit the matter again to the Council.

## GISBORNE HARBOUR BILL.

The Hon. Mr. G. R. JOHNSON, in moving the second reading of this Bill, said it contained a principle with which, to a certain extent, he did not agree, but, as it was one which, he believed, had been affirmed by the Council during the present session, he had no hesitation in bringing forward the Bill. The principle he alluded to was that of making reserves of land for harbour purposes. He did not approve of the principle entirely, but, as reserves had already been made to a large extent in cases where such assistance was not so necessary as in the present instance, and as an endowment to the extent of 11,000 acres had been granted for a museum, he had no hesitation in making the present application to the Council, as he thought that the promoters of the Bill were fairly entitled to some considera-



tion when undertaking a public work of this description. He would endeavour to state briefly why this Bill had been brought before Parliament. The district to which Gisborne was the outlet, and, he might say, the only outlet, was a large district extending from the southern part of the Province of Auckland to the East Cape, and still further north, and contained a large amount of rich land; but, unfortunately, this district was entirely walled in by ranges of hills of such a description that, with the exception of one or two bridle-tracks, there was no communication by land with any of the adjoining districts, and Gisborne, both for passengers and cargo, was the point of approach and departure. As things stood at present, the steamers which passed regularly up and down the coast called in at Gisborne, and those with a draught of water of more than eight feet lay outside, communication with the shore being carried on by means of boats. The bay itself was to a certain extent protected, but the strongest winds that blew on the East Coast, namely, southerly and south-easterly, brought in a heavy sea, which made it dangerous for persons to land, and cargo was frequently obliged to be taken on to the next port. In fact, in many instances cargo shipped at Wellington for Gisborne had gone on to Auckland, had then come down from Auckland past Gisborne to Wellington, where it had been re-shipped, and sent to Gisborne. He need hardly say that such a state of things caused considerable loss to the shipping companies, and inconvenience to the inhabitants of Gisborne. The present proposal was to construct a breakwater. The town stood upon the bank of a small river, one bank of which was composed of rock, which ran out in the form of a reef for some distance into deep water. It was proposed to carry a breakwater out upon the reef, so as to create a harbour of refuge, and a place that would afford accommodation for steamers and other vessels visiting the port. Such a plan of the works had been prepared as it was in the power of the inhabitants to procure. They had not, however, been so fortunate as to obtain the assistance they requested from the Government in the shape of a report from the Government Engineer. The reports they had from persons fairly acquainted with the subject were very favourable. There was no intention to interfere with the bed of the river itself, and therefore he did not think there was any danger, as in other cases, of doing more harm than good. The proposed endowment of 50,000 acres might appear to be a formidable amount, but the land was not valuable. It consisted chiefly of hill-tops, so that, therefore, it was not so large an endowment as might be imagined from the acreage. It could not be turned to agricultural purposes, nor was it very valuable for sale. In asking for some assistance for this port he might mention that there had been no public works to any extent carried on in the district, and he was afraid that there was not much chance of their having railways or anything of the sort. The district was so isolated that it was almost impossible to connect it with railways, and therefore, apparently, there was not much chance of any

*Hon. Mr. G. E. Johnson*

assistance in that direction from the General Government. On the other hand, the inhabitants of the district had to contribute their quota of the interest on money borrowed to construct public works in other parts of the colony. On those grounds the promoters of this Bill felt it right to bring the matter before Parliament. He would mention, also, that in carrying out this work considerable value would be added to the large landed estate which the Government was purchasing there, and the colony in that way would be a considerable gainer. One object of the Bill was to form a Harbour Board. As this harbour was the only outlet for the district, he thought it would be very desirable that the harbour should be under the control of some body, and be placed in as good a position as possible. He noticed that there was no clause in this Bill, such as was contained in other Bills, providing that no works should be undertaken until they were fully approved of by the Engineer-in-Chief. He thought such a clause should be added. He trusted the Council would consider the Bill on its merits, and would remember that the district was not as other districts for which similar Bills had been introduced: in this district there was no railway communication, and not even road communication. It was certainly of vital importance to the district that there should be some provision made for a good harbour.

The Hon. Mr. CHAMBERLIN would endeavour to kill two birds with one stone. They had on the Order Paper another Harbour Bill, and his remarks upon the present Bill would apply equally to the next one. While entirely agreeing that the country required harbours of refuge, he thought that there was a happy medium to be observed with this as with other subjects. He did not think that this colony was in any way deficient of natural harbours, and, although it might be desirable to supplement their natural harbours by assisting and improving those of a minor character, he hardly thought that the time had arrived to put this country to the enormous expense that was now proposed by endowing a number of harbours, or what were called harbours, and many of which were nothing but little streams running on to the beach. This harbour was to a certain extent superior to some of those which had come before the Council, and was something more than a mere river, he believed. He had never had the pleasure of seeing Gisborne, but he had been in communication with people who knew it well, and to his cost he knew it by losing a considerable sum of money in an indirect way through the wreck of one or more steamers. Therefore he had a knowledge that something was required to be done; but he disapproved of the course proposed to be taken of endowing this harbour with a block of land. He did not think Bills of that character should be brought in by private members; they should be left entirely to the Government. This Bill was merely got up for political purposes, and to gain popularity, and the same was the case with the Port Waikato Bill. Of course he did not accuse the honorable gentleman having charge of the Bill in the Council of any intention of the kind.

He had heard it admitted that the Bill was brought forward for political purposes. Now, the proposition was to endow the harbour with 50,000 acres of land, but where they were to get 50,000 acres of land in that district he did not know. They knew little or nothing of the character of the land, or of its value, and it appeared that at present there was no Harbour Board. It was proposed to throw the conduct and management of the harbour upon people who had not the slightest experience in matters of the kind—it was proposed to give the management of the harbour to the County Council of the district. Hence there was not only the objection that those gentlemen would be inexperienced in matters of the kind, but they were liable to be thrown out of office at any time, and the matter would fall into the hands of other inexperienced men. That could not be a good system for the management of harbours. There was nothing in the Bill to indicate the nature of the work proposed to be done. He thought the Council had affirmed, by a large majority, that it was undesirable to utilize the lands of the colony for purposes of this kind, and he thought honorable members were all in favour of the management of harbours and railways being entirely left to the control of the General Government. He therefore held that any members who were prepared to vote for this Bill, and for Bills of a similar character, would be stultifying themselves. He would move, That the Bill be read a second time that day three months.

The Hon. Mr. HART wished to say a few words in explanation of the vote he intended to give. One of the objects of this Bill was to create an inexpensive Harbour Board, which might beneficially manage the concerns of this little inlet, and utilize it to a greater extent than it was at present utilized, and to vest in that Board certain small portions of land in the neighbourhood which would not materially interfere with the public estate. The second object of the Bill was to appropriate a considerable area of land as an endowment. There was a distinction between the two objects, and he would support the second reading with the view of striking out the clause relating to the endowment and the schedule, and leaving so much of the Bill as related to the appointment of a Harbour Board. He hoped honorable members would allow the Bill to be read a second time, on the understanding that the endowment should be struck out, so that the Board might be in existence to take some steps which would enable them to come before the Legislature with some definite plan for the improvement of the harbour.

The Hon. Colonel WHITMORE felt great sympathy with the settlers in this part of the country; they had had little or no advantage from the great expenditure by the Public Works policy; but he did not think any statesman would consider that it was any part of that policy to distribute equally the capital sums raised for the carrying out of public works, and if they were to meet here every year in order to equalize the expenditure between district and district the result would be that they would beggar the Exchequer

without giving satisfaction to any locality at all. He knew this harbour, and he knew that to a certain extent it was capable of improvement: at the same time it was quite certain that without the highest skilled advice it was quite possible to ruin the harbour, so that it would not be half so useful as it was at the present time. Persons who were not educated in that particular branch of science would probably come to the conclusion that by blasting certain rocks at the entrance to the mouth the harbour might be improved. He was given to understand by scientific men that that would not be the case at all, and without very great precaution, and proceeding upon very careful and well-devised plans, the result might be disastrous to the harbour. On the other hand he thought the appropriation of 50,000 acres of land was a monstrous proposal to make. Although he was prepared to admit the principle that land was money, still he was not so far weaned from all prejudices as to forget that that district had produced no money to the State. It was a district in which there had been next to no Crown lands to sell, and in which there was no Crown land to go into the market in the future, with the exception of the Patutahi Block. The Hon. Mr. Johnson had said there were more than half a million acres of land. Well, he was prepared to believe that there were half a million of acres, but till some part of that half-million of acres had been realized, and till the country was accustomed to the idea that there was a Land Fund there, it was possible that his remark on that ground might not be considered an unfair one, but up to the present time there had been really little or nothing realized from the district with the exception of the Township of Gisborne, and the price hardly covered the cost of surveying it. They were told some time ago that the Patutahi Block was to be reserved for this harbour. However, that idea appeared to be abandoned, and the present proposal was brought forward. This proposal had not been submitted to the Government for their approval. Indeed, in the proper sense of the word, there was no proposal before Parliament at all. There were no plans and no estimates: no properly digested proposal had been submitted to the Public Works Department which could receive the approval of the Government.

The Hon. Mr. G. R. JOHNSON explained that he stated that the inhabitants had made application to the Government for the purpose of procuring assistance from one of their engineers, but had failed.

The Hon. Colonel WHITMORE said that what the honorable gentleman had said proved the correctness of what he (Colonel Whitmore) had said—there was no scheme in evidence which had received the approval of the Engineer. There were a good many harbours of much more consequence than Gisborne in the country, and from which a great deal of produce would be exported; but Gisborne had undergone all the hardships that the North Island had suffered. It had prospered simply through the energy and enterprise of its settlers, who went there principally from the province from which he came, and had on many

grounds claims for assistance; but it was not, from a material point of view, a harbour which had claims upon the country. The harbour was quite good enough at present for all that was required by its trade. He had been there often, and had been there very recently, and he could say that it was a harbour into which steamers of considerable size could enter. Of course, if there were a really well-devised scheme, and if a first-class harbour could be constructed, no doubt the district would flourish, and property would greatly increase in value. But they were not there to legislate for such an object, and to enter into speculations of that class which were to make improvements in, and entirely alter the condition of, a district. They were there to give relief, under certain circumstances, to districts which were out of the ordinary commercial highway of the country—to take care that there was no unfair appropriation of the public money. As a North Island man it would be to his interest, as it would be to his pleasure, that this appropriation, which was a comparatively small one, should be made; but he could not consistently resist such appropriations in the South Island and throughout the country if he sanctioned a proposal of this kind, which was based simply upon the wishes of the people, and not upon any sound commercial basis or upon any case of present necessity. For the trade at present at Poverty Bay the harbour was amply sufficient. It was not a district unable to export its produce—last year a Home ship was lying there—and it had got much more than other districts with which he was acquainted. As a North Island man he was making a sacrifice to principle in voting against the Bill, because if there was any district outside of his own in which he took a great interest it would be this one, the inhabitants of which originally went from Hawke's Bay, and were intimately connected with that provincial district. He intended to take the same course with regard to the Waikato Harbour Bill; and he thought that honorable gentlemen from the South would see that those who voted as he did were not actuated by any hostile or envious feeling towards them, but that they voted on principle, and were prepared to sacrifice their own child rather than give way.

The Hon. Colonel KENNY said it was only natural to expect that the infection would spread. It had spread from the South to the North, and the next Order of the day would show that it had extended to the very locality in which he had lived for many years. He flattered himself that he had a reputation in the Council at any rate for consistency, which made him rather anxious not to forfeit its respect. If he were to give his vote against Bills of this kind which had emanated from the South, and support the very first measure that came forward for the North Island, in which he resided, he would be guilty of partiality and great injustice. So far as this particular harbour was concerned he had some interest in it from past experience, and knew the danger of the locality, for in the year 1867 he, with the other passengers in the steamer "Taranaki," was put down in the death calendar.

*Hon. Colonel Whitmore*

On that occasion the steamer was supposed to be lost, having been seven or eight days overdue, and when she arrived in Wellington crowds were assembled on the wharf to greet the passengers. He merely mentioned this to show that he was quite aware of the danger of the locality, and that there was a necessity there, as also in a hundred other places, for harbour improvements of the kind proposed. He wished to show that in voting on these Harbour Bills he was not influenced by considerations of locality, and that he did not oppose proposals because they emanated from places with which he was unacquainted. It was a very short-sighted policy for members from the North Island to advocate schemes of this description when they fell in with their own views and their own interests, in cases where they ought to take a directly opposite course. They could not go in with clean hands when they advocated interests of their own and voted against the interests of other people. Their duty was to act consistently, and he took this early opportunity of making these remarks because of the next Order of the day. He would be very sorry indeed if it were supposed that in the course he had taken hitherto he had acted with partiality. He was glad to have the opportunity of taking the action he intended to take in reference to this Bill, in order that he might show that he had acted throughout with perfect fairness. He would vote against this Bill and every other Bill of a similar kind; and, moreover, he hoped to see every one of these Bills which had been passed repealed, and a similar result occur with regard to education reserves and endowments, which he hoped to see brought under one general system, instead of various localities being dealt with without any grand national result.

The Hon. Mr. MANTELL said that before he had the advantage of hearing the Colonial Secretary's address with regard to this Bill he had come to the same conclusion as that recommended by the Hon. Mr. Hart, that they might as well strike out the 3rd, 4th, and 5th clauses, and the schedule, thus doing away with the endowment and creating a Harbour Board. But from what the Colonial Secretary had said it appeared that this was a place which could not be touched by ill-instructed people, or people who had not the best advice, without possibly leading to very serious detriment to the harbour. He thought, therefore, it would be better not to create a Harbour Board at present, and would consequently vote against the second reading of the Bill.

The Hon. Sir F. DILLON BELL thought it was fortunate for the Council that there were members who held such strong opinions as those just expressed by the Hon. Colonel Kenny, to whom the proposal to give grants of land in aid of these public works was very distasteful. It led to criticism, and invited the attention of honorable members to the separate proposals. For his part, however, he did not entertain so strong a view. On the contrary, he thought they should see whether the proposed work was required, and whether the particular plan submitted to them was a wise and prudent one. In some of the cases prudent proposals had been made, and he

did not entertain so strong an objection to the principle as would induce him to vote against every proposal for an endowment that came before them. For that reason he did not class the two proposals on the Order Paper together. As they would presently come to the Waikato Harbour proposition, it would be better not to say anything about it until then; but when it came on he would show why it would be an imprudent one. In the present case he would like to have seen long ago some steps taken to improve the Port of Gisborne, because, without resorting to the usual platitudes about extending the resources of the country, developing the energies of the people, and so forth, he believed that the people of Poverty Bay were situated in a geographical position which gave them a special claim to consideration. Although it was years since he was there, he had been very much astonished by the progress which the district had made, and which was owing not more to the energy and enterprise of the settlers themselves than to the adaptability to settlement and capacity for improvement of the district. In the course of time they would be obliged to take some steps to connect that district with the rest of the country, which at present there was very little probability of doing; there could not now be a dray-road out of it, or a railroad, or indeed any communication except by water. Therefore it was in a special position to claim from the colony that its harbour should be put into a better state. Nevertheless, it would not be right to give the expenditure of public money or the determination of schemes for the formation of harbours to gentlemen who might happen to be Chairmen and members of the County Council. He objected to the same proposal when it was made in the case of the Waikouaiti Harbour Bill. They should not in any of these cases allow harbour works to be constructed until they knew exactly what was meant. In the case of the Bluff Harbour endowment, which he had supported, there was ample evidence before the Council and before the Select Committee to show, even to those who were not skilled in engineering, that there was a rational and well-thought-out scheme upon the basis of which assistance was claimed. In the case of Timaru he had said he would oppose the proposal of the Hon. Mr. Hall for the absolute grant of an endowment, and he would still endeavour to make it necessary that the Timaru harbour works should be submitted to Parliament. He would not again consent to the formation of any Harbour Board where it was proposed to grant an endowment, except on the condition that the works proposed to be done should be submitted to the judgment of Parliament. It was urged that the interference of Parliament in such cases would lead to a want of due care, to political influences, to the exercise of jobbing propensities, log-rolling, lobbying, and other happy terms by which they designated the attempts that were made to influence members during the session. But he had always been accustomed to look to the practice and the precedents of the Imperial Parliament. In the Imperial Parliament the Railway Committees did a far greater amount

of work than other Committees, and every honorable member would know that the members had to work very hard on such Committees. The Council should not allow any harbour works—especially where the commercial future of the country was so much involved—to be done by private individuals. It was a misfortune that the Government did not consider it to be its duty to undertake works of that sort. But that was not the fault of the present Government, because the example was given by the late Government, who last year allowed a great number of Harbour Bills to be passed, and endowments to be made, or, as in the case of Timaru, a sum of money to be paid over which would, he was afraid, be cast into the sea.

The Hon. Mr. ROBINSON supported the amendment. His principal object in rising, however, was to correct the statement of the Hon. Sir F. Dillon Bell that the late Government had given the Timaru Harbour Board a large sum of money. That money was due to the Timaru Harbour Board by the Provincial Government, and its payment was a simple recognition of a just debt. The honorable gentleman also alluded to the action of the Council last year in regard to several Bills which contained large endowments. He hoped the Council would be as consistent in its future conduct in regard to these Bills as it was last year. The Timaru Bill was thrown out last year, and would probably meet with the same fate this year; but, nevertheless, their conduct was not so consistent this year as last year.

The Hon. Mr. WILLIAMSON would support the amendment, because he disapproved of the principle of allowing private members to introduce Bills which asked for large endowments either in money or land. He was sorry to hear the Colonial Secretary say that one of the reasons why this port was not entitled to consideration was that it did not contribute largely to the revenue of the country. That might not be the fault of the place itself; it might be the fault of its circumstances. But they knew that there was a very large tract of valuable and fertile land there. The honorable gentleman spoke of the quantity of wheat produced in other parts of the country, and said that those places were entitled to a harbour on that account. If a man could get land for £2 per acre that would produce wheat within twelve or eighteen months after he became the owner of it, he would be recouped for his outlay, and the land would not be dear. But there was a great deal of land in the North Island which would not grow wheat unless after a large expenditure of money and labour: hence the land bought at 5s. per acre was not cheaper than the other land at £2 per acre. The Colonial Secretary stated that the removal of a rock might possibly injure the harbour. Thirty-five years ago he went into the harbour at Gisborne in a small vessel, and from what he then saw he could assure the Council that the removal of the rock referred to would greatly facilitate the entrance of vessels. He was not led to vote for the second reading of the Bill that day three months because he did not think it was required. He thought it was required; and it was the duty of the Govern-

ment to study the interests of every part of the country, without reference to whether the land had been sold in the first instance at high or low prices. The Government would be consulting the interests of the whole colony if they assisted to make any portion of it prosperous, for the increased prosperity of any one portion of it must add to the prosperity of the whole. The prosperity of the North Island would go a great way towards solving that very expensive problem they had been considering for the last ten or fifteen years, and he did not expect that prosperity would be very rapid in the North Island until that problem was solved. He had known men of capital visit the North Island and see land they would like to settle upon, but from stories they heard they believed it would be unsafe to do so, and they had gone to other parts of the country where they could settle. He was sure that nothing would tend more to create strength in that part of the country than the construction of a good harbour. The Hon. Sir F. Dillon Bell, in speaking of the harbour at Taranaki, made some reference to the effect a good harbour would have on that part of the Island. Now, he thought that a harbour was as much wanted at Gisborne as at New Plymouth. It might be desirable from a national point of view that a harbour of refuge should be constructed in Taranaki, but he doubted very much whether it would be of greater advantage to the colony than the construction of a harbour at Gisborne. He was content, and probably the honorable member in charge of the Bill would be content, to wait for another year, and perhaps they would then be able to convince the Government that it was their duty to do something for that part of the country.

The Hon. Captain FRASER said that this Bill was very much like the Bill he introduced a few days ago. It contained exactly the same endowments for the whole human race in the locality. The honorable gentleman had made a good fight for it, but neither he nor the honorable gentleman had a good case, and as his Bill had been rejected so he imagined this one would be. He felt bound to support the amendment.

The Hon. Mr. HOLMES said he had voted for some of the Harbour Bills, not that he intended to support them eventually, but to find out what the policy of the Government was, and to shape the Bills on the basis of that policy. He was glad the Government had indicated the policy they intended to pursue. He thought that the whole of these Bills should have the same measure of justice meted out to them. The Hon. Mr. Williamson seemed to think that the prosperity of a country depended upon harbours; but in his opinion the industry and enterprise of the people was the first requisite. Now, the distinguishing feature of the inhabitants of the South, as compared with the North, was the extraordinary industry of the one and the peculiar apathy of the other. He had some idea of what progress meant. He had been through the country of the North, and all he could say was, that in many cases it was a very great pity that such a fine country should be in such bad lands.

*Hon. Mr. Williamson*

The Hon. Mr. PATERSON thought that if these Bills were necessary they ought to be introduced early in the session. It seemed strange, after so many Bills had been dealt with by the Council, that they should be asked to consider fresh proposals of the same nature. If this was an actual case of necessity it would lose nothing by being allowed to stand over for another year, when they would be in a better position to examine the facts and deal with the matter as it should be dealt with. At present they had no facts before them connected with the Port of Gisborne, and he should therefore support the amendment.

The Hon. Dr. GRACE said he should vote against the second reading of the Bill on the ground that the provision proposed for the endowment of the harbour was by no means equivalent to the wants of the district, which was one of the most important in the whole Island. The last chance of further prosperity in the North Island opened up in that direction, and it was there that the principal wealth in land left to them remained undeveloped. If a work of this kind was to be done at all, it should be done properly. To say that that could be done by setting apart lands at the top of mountains thirty-five miles from the port was perfectly ridiculous. He deprecated approaching the consideration of this question in an immature and hasty manner. It should be gone into in an exhaustive way, and the absolute necessity for the construction of the work must be recognized throughout the colony. He knew the district of Poverty Bay, and he, too, owed it a debt of gratitude because the Natives did not eat him, neither did he think it likely that they would have eaten anybody else. The fact was, that the Natives there were capable of very great advancement in civilization, and the day was not far distant when the whole of the people of that district would contribute largely to the revenue. If the exports from that part of the country were not great, the fact was not attributable to the apathy of the people. They had not been apathetic, but a great portion of their energy had been expended in overcoming conditions which refused to yield to their energy. A man had to toil for three or four years before he could get the grass to grow on fern lands at Poverty Bay, and even then it required heavy stocking to bring it into reproductive form. Honorable gentlemen like his friend Mr. Holmes, who knew the country, were fully aware that the people of the district were not apathetic. The whole of the East Coast District, particularly the Hawke's Bay District, showed as great signs of industry as any district in the Southern Island. He knew this from experience, because he had lived in the district. He remembered the time when it would have been impossible to get 5s. per acre for much of the land in Hawke's Bay: in fact, land was then valued at just what it would produce in the way of grass. If the people had been apathetic they would long ago have given up the effort to cultivate and improve these fern lands. He knew dozens of men in Auckland who had gone on for years spending money in trying to improve their

land, but before that land had become reproductive they had been ruined. These remarks were only pertinent to the question as showing that some honorable members who had spoken on the subject had not fairly estimated the value of the land, and the value of the labour and money which had been expended on it. When they had fairly estimated the value of the lands and the people in Poverty Bay they would be prepared to make a much larger provision for the harbour in that district than they were now asked to make.

The Hon. Mr. G. R. JOHNSON said he was at a loss to know what kind of men the Hon. Mr. Chamberlin thought should be placed on the Harbour Boards. The honorable gentleman had said that he objected to the formation of the Board as proposed by the Bill for the reason that the members of County Councils generally knew nothing about harbours. He (Mr. Johnson) was afraid that the gentlemen who were elected as members of Harbour Boards were frequently men with no more knowledge of harbour works than those who were elected to the County Councils. With regard to what the Hon. Colonel Whitmore had said respecting the Riverton and Kakanui Harbours, he would read a few extracts which he had taken from the *New Zealand Gazette*. In 1875 the imports in Poverty Bay amounted to £7,238, while in 1876 they amounted to £18,234. In 1875, in Riverton, they amounted to £16,063, and last year they amounted to £3,078. The amount for Kakanui was very much below that. He might state that it was the same in regard to the Telegraph, Postal, and Resident Magistrates' Departments. In all these, as far as one could judge from published returns, Gisborne was above Riverton or Kakanui. The Customs revenue return for the year ending June 30, 1877, was—at the Thames, £2,837; at Poverty Bay, £2,241; at New Plymouth, £1,930; at Oamaru, £2,608. Kakanui and Riverton were nowhere. He thought these figures proved that the statements of the Hon. Colonel Whitmore were scarcely borne out. Moreover, the population of the district around Gisborne was increasing very rapidly. He mentioned these things to show that the district was not of such small importance as some honorable gentlemen represented it to be. The Hon. Colonel Whitmore had said that the object of the Government was to give relief to districts which were blocked out of the ordinary commercial highway of the country. He believed that if the honorable gentleman thought the matter over he must come to the conclusion that this was one of the first districts to which the Government should give their assistance. The honorable gentleman had also said that the people of the district were able to ship their cattle and wool without difficulty. That was hardly correct. It was true that in the summer months, when the weather was fine, the wool and cattle could be shipped easily; but it was not so in other parts of the year. He had known instances of steamers going to the port and loading with cattle, and having to discharge their cargo three times before they could get away, in consequence of the heavy weather which prevailed outside. It was clear

that that caused an enormous loss of money. Then, it had been stated that the district did not contribute largely to the revenue. He thought that the figures he had quoted proved that to be incorrect. With regard to the point that an undertaking of this description should not be entered into until it had been thoroughly considered, he could only say that he agreed entirely with that. He was only afraid that some of the public works in the colony had been entered into without having been thoroughly considered. He would be prepared to propose that a clause should be inserted in the Bill providing that nothing should be done until the plans for the work had been thoroughly investigated and approved by the Engineer-in-Chief. He was sorry to hear the Hon. Mr. Chamberlin say that the Bill had been brought forward for a political purpose. He (Mr. Johnson) did not think that such was the case. He knew that for some time past the inhabitants of the district had been very desirous of having some steps taken to provide for the proper care of the harbour, and he believed this Bill was the result.

Amendment agreed to, and Bill ordered to be read a second time that day three months.

The Council adjourned at nine o'clock p.m.

## HOUSE OF REPRESENTATIVES.

Friday, 30th November, 1877.

First Reading—Second Readings—Third Readings—Ministerial Residences—Thorndon School—Pluton and Blenheim Railway—Opawa Bridge—"New Zealand Hand-book"—Civil Service—Dunroon and Kurow Railway—Stamp Bill—Government Native Land Purchases Discontinuance Bill—Destitute Persons Bill—Disqualification Bill No. 2.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

### FIRST READING.

Waste Lands Sale Bill.

### SECOND READINGS.

West Harbour Mayoralty Bill, Dangerous Goods Bill, Canterbury Roads Bill, Te Aro Reclamation Bill.

### THIRD READINGS.

Stamp Bill, West Harbour Mayoralty Bill, Maori Real Estate Management Bill, Native Land Bill, Government Native Land Purchases Bill, Shipping and Seamen's Bill, Dangerous Goods Bill, Whangarei Harbour Bill, Wyndham Show-Ground Bill, Canterbury Road Ordinance Bill, Te Aro Reclamation Bill.

### MINISTERIAL RESIDENCES.

Mr. CURTIS brought up the following report of the Public Accounts Committee on the question of the occupation of Ministerial residences:—

"The Public Accounts Committee have the honor to report that they have inquired into the terms and conditions of vacating Ministerial resi-

dences by Ministers retiring from office during session, and have come to the following resolutions:—

"1. That Ministers retiring from office should vacate the Ministerial residences within thirty days after such retirement.

"2. That, as regards the present session, retiring Ministers should be at liberty to retain possession, free from rent, until the prorogation of the General Assembly."

Mr. SHEEHAN moved, That the report be printed. In doing so he would like to say that, although it was desirable that there should be a settlement of a question of this kind, still he apprehended that the Committee had gone rather far in the conclusion they had come to. He did not see why a month's time was necessary for Ministers retiring from office to make other arrangements for the remainder of the session, and he thought, under all the circumstances, the conclusion came to with regard to the predecessors of the present Ministry was too liberal. By the time Parliament was prorogued they would have had occupation of these residences for about seven weeks after retiring from office. He had understood from the leader of the Opposition that he and his colleagues admitted the propriety of paying a reasonable rental for the occupation of the residences after a certain time. As the House would probably desire to consider whether the report should be adopted or not, he would move, That the report be printed.

Sir G. GREY understood that the arrangement he had proposed had been agreed to: that was that, after a reasonable time, say about a fortnight, the members of the late Ministry should pay a fair rent for the Ministerial residences. He did not speak from any personal interest in the matter. He spoke entirely from a conception of what was due to the public. The moment Ministers left office they received the honorarium the same as other members, and this was given in part to pay house rent; and, while they received the honorarium from the public to enable them to pay rent, the public had a right to receive rent for these houses. He understood that arrangement was agreed to openly in the House; and it ought to be followed, for the purpose of setting an example to the Service that no advantage should be derived from any office except such as belonged to that office, and that it was not right to occupy, free of rent, a house belonging to the public, and at the same time draw an allowance for lodgings from the public.

Mr. ROLLESTON said it appeared that the question was scarcely one affecting the public. It was a question as between Ministers and Ministers. He recollected the question being raised by the honorable member for Bruce as to what arrangement had been made with regard to the payment of rent by Ministers when they went out of office. He spoke from recollection, but he thought the answer of the Premier was that after a reasonable time rent should be paid, but no reference was made to the end of the session, nor to any other time. The honorable member for Egmont agreed that that was reasonable. He thought the country would not be at all pleased at the

Government driving a hard bargain in a matter of this kind. What was fair for one Minister was fair for another. Hitherto the understanding had been that retiring Ministers should not be disturbed during the continuance of the session. If the present Ministry were turned out, that custom would operate equally in their favour. This was not a question that appealed to the pockets of the people. It was simply a question of the action of one set of Ministers in regard to another set of Ministers, and he was sure the country would not think very highly of any set of men who did not recognize that this was purely a question of good feeling. It was a great pity the question had been discussed in the House, and that the matter had not been decided in accordance with custom instead of being treated as a matter of law.

Mr. McLEAN said the Government were acting like the dog in the manger. He might mention that he had vacated his house immediately upon leaving office, and the house stood empty to the present moment—no member of the Government had taken possession of it; and it seemed to him to be far better that the houses should be taken care of by those at present in possession than that the colony should have to pay a man to take charge of them while they remained empty. Besides, members of the Government made arrangements for the whole session, and if retiring Ministers were to be turned out during the session it would necessitate the despatch of their families to their homes in other provinces. He thought the report was a very fair one, and hoped the House would agree to it. He was sorry to have to mention that he had received a notice from the Under Secretary for Public Works, offering to appoint a man to assess the rental for the house during the interval that had elapsed since he left office. This document, which was a very novel one, was received long after he (Mr. McLean) had left the house, and was as follows:—

"Public Works Office,

"Wellington, 22nd November, 1877.

"SIR,—I am directed by the Hon. the Minister for Public Works to remind you that your official occupation of the Ministerial residence in Molesworth Street ceased on the 13th October, the date of your leaving office.

"I am to take this opportunity to point out that, while the Minister has no desire to inconvenience you by an earlier removal than is compatible with your other arrangements, it will be expected that you pay a rental for the premises from the date of your leaving office until that of your being able to give up possession.

"The Minister will be prepared to appoint an arbitrator to fix the rate of rental to be paid, if you, either individually or in common with other members of the late Ministry similarly situated, will oblige by naming another.—I have, &c.,

"JOHN KNOWLES,

"Under Secretary for Public Works.

"G. McLean, Esq., M.H.R., &c."

He did not think this was a credit to the Government, and it was as well that it should go forth to the world.

Mr. Curtis

Mr. BOWEN was sorry this subject had again been brought up for discussion. The honorable member for Egmont suggested that the question should go to the Public Works Committee as the most business-like way of settling the matter. The members of the late Government had continued to occupy these houses simply because of their inability to get other houses before the end of the session; but he might say for himself that he would rather pay rent from the moment he left office than have these repeated discussions about the matter. It seems to have been a cardinal point of the policy of the Premier, from the moment the late Government left office, that these Ministerial residences should be dealt with; and he, for one, would rather accept any arrangement as to rent than have any more of these discussions.

Mr. SWANSON said that on a previous evening they had a very extraordinary oration from the honorable member for Avon about the excellent officers they had in the service of the colony. One would have thought, if these men were so good, they would have been able to let the Government know that the honorable member for Waikouaiti had vacated his Ministerial residence. It must be the duty of some officer to accept the keys of these houses when they were vacated, and surely the head of the department should have known when the honorable member for Waikouaiti moved out. The real solution of this question would only be arrived at by paying Ministers what they had to receive in cash. The residences should be put up to auction and turned into money. Of course the occupants would not like to be disturbed so long as there was a chance of getting back to power.

Mr. REYNOLDS thought it was absolutely necessary that there should be Ministerial residences, and it should be thoroughly understood that, when a change of Government took place, the retiring Ministers might remain in possession for a reasonable time after the session. It would be most unreasonable to expect Ministers with families to remove out of the Ministerial residences the moment they left office, and, as to paying rent, he could hardly imagine that any one thought of such a thing. It was almost contemptible to attempt in that way to screw a few pounds out of the gentlemen who lately sat on the Government benches. He trusted that the House would reject any such proposal, and that ex-Ministers would be allowed to remain in their residences for a reasonable time after the end of the session—for a week at any rate. It was absurd to call upon Ministers to leave the Ministerial residences at a moment's notice when they were put out of office.

Mr. W. WOOD thought this matter should not have come before the House. They had been repeatedly told that it was absolutely necessary that Ministers should be provided with residences. That might be so, but they found that the late Government, who left office six or seven weeks ago, determined to retain occupation of their residences as long as possible. It was wholly a matter between the present and the late Government. He had no doubt that, if the late Government found

it inconvenient to leave at a short notice, an arrangement could easily be come to.

Mr. MACFARLANE said this matter was under the consideration of the Public Accounts Committee for over an hour that day. The question was too paltry even to be considered by that Committee, and therefore it was not worthy of the consideration of the House. He hoped nothing more would be said about it.

Captain RUSSELL thought that the report of the Public Accounts Committee was a very good one. The present Ministry could not be put to much inconvenience through not being able to take possession of the Ministerial residences this session, for none of them had brought their families to Wellington, for the simple reason that they did not expect to have seats on the Government benches. He hoped, however, that next year things would be in a different position. The gentlemen who now composed the Government would probably be turned out in the first week of next session, and under those circumstances he thought that the matter should be allowed to drop for the present.

Mr. MURRAY was understood to say that the question he asked the Government on a previous day was, as to when they would introduce a Bill to reduce Ministers' salaries and to deal with the residences. In his own opinion there was no difference between Ministers and members. He thought the residences should be disposed of as soon as possible. The honorable member for Waikouaiti complained that he had received notice that he would be required to pay rent for his house.

Mr. McLEAN explained that he received the letter he had complained of a long time after he had left his residence.

Mr. MURRAY would ask the honorable gentleman whether he had given a notice to the officers of the Public Works Department that he had left. A somewhat similar difficulty had occurred in 1872, when Sir Julius Vogel was turned out of office by the honorable member for Timaru.

Mr. WAKEFIELD thought it would be well, in connection with this matter, to look back to what occurred in 1869, when the honorable member for Wanganui (Mr. Fox) deposed the honorable member for Timaru, and bundled him out of his residence without the slightest ceremony. He (Mr. Wakefield) was Private Secretary to the Premier at that time, and, as such, he wrote the following letter to Mr. Stafford:—

“Government Offices,

“Wellington, 10th August, 1869.

“SIR,—I have the honor to inform you that I am directed by Mr. Fox to remind you that it is six weeks since he assumed office, and became entitled to the use of the Ministerial residence occupied by you.

“Mr. Fox will be obliged if you will place it at his disposal at your earliest convenience, and will be so good as to inform him in reply when you will be able to do so.—I have, &c.,

“EDWARD WAKEFIELD.

“E. W. Stafford, Esq., M.H.R., Wellington.”

The honorable member for Timaru argued, in reply to that letter, that he was entitled to re-



main in possession of the Ministerial residence until the session terminated, while the honorable member for Wanganui contended that he was entitled to possession from the day on which he came into office. The honorable member for Timaru quoted the case of Mr. Weld, who was ousted by him in 1865, and who was not required to give up possession of his residence until after the end of the session. The honorable member for Wanganui replied,—

“With respect to the understanding to which you refer, that the Minister who resigned during the session should occupy the Ministerial residence until the end of the session, I would observe that I am not able to ascertain from the permanent officers of Government that such an understanding ever existed, nor do I exactly apprehend between whom it did or could exist.”

The opinion of the honorable member for Wanganui in 1869 was, that the honorable member for Timaru should leave his residence, no matter what inconvenience might be caused to himself and his family. That honorable gentleman begged that he might be allowed to remain in the house and pay rent, but that privilege was flatly refused, the honorable member for Wanganui remarking that he knew nothing about rent for Ministerial residences. The honorable member for Port Chalmers, who generally looked after small matters of this kind, should recollect that the question of renting Ministerial residences was raised in the House some weeks previously, when the honorable gentleman at the head of the Government stated that no decision had yet been come to regarding the matter, but that, after a reasonable time had been given to ex-Ministers to leave their houses if they chose to do so, the Government proposed to charge a moderate rent. The honorable member for Egmont, who was present at the time, said that was quite reasonable. In a matter of this kind the convenience of both the retiring and incoming Ministers should be considered. The present Colonial Treasurer had been ill for some time, and it would have been very much more convenient for him if he had been occupying one of the Ministerial residences during his sickness than the miserable lodgings which most honorable members had to put up with when they came to Wellington. He thought that Ministers should have the opportunity of taking possession of those residences as soon as possible after they accepted office, without, of course, turning out the late Ministers in a rude manner. Arrangements could easily be made to suit the convenience of both parties.

Mr. FOX had had no intention of taking any part in this discussion, and he would not have done so if the honorable gentleman who had just sat down had not taken it upon himself to give an account of what took place between himself (Mr. Fox) and the honorable member for Timaru in 1869. As the honorable gentleman had spoken in a sneering manner of the affair, he wished to say a few words in reply. The honorable gentleman had said that Mr. Stafford was “bundled” out of his house. But what did this “bundling” consist in? The facts were simply these: that,

*Mr. Wakefield*

after the honorable member for Timaru had occupied his house for six weeks subsequent to the date of his retirement from office, he (Mr. Fox) wrote a courteous and temperate note to him with reference to his occupation of the house; but the honorable gentleman's reply was not at all of a conciliatory character. The honorable gentleman did not intimate to him at that time that he would be put to any inconvenience by having to remove. He was permitted to remain in occupation for six weeks, and then it was intimated to him that it would be to the convenience of the incoming Ministry if he would give up possession. His impression was, that the honorable member for Timaru was by no means “bundled out” of the residence occupied by him. He had no hesitation in leaving it to honorable members who were in the House at that time to say whether there was the smallest discourtesy on his part towards the honorable member for Timaru. He should be very sorry to exhibit such a feeling towards that honorable gentleman. The allegation about “bundling” that honorable gentleman out was as inaccurate a statement of the case as it was possible to place before the House. With reference to the merits of the particular case before the House, honorable members appeared to put it on the high ground of principle that no Minister should receive more than that which was strictly his due, and that anything else would be robbing the people. He thought that was a miserable, trumpery, cheeseparing view of the question—one utterly unworthy of the Premier, and unworthy of this House. To raise a question on a little paltry matter of a few pounds seemed altogether contemptible. There was in every legislative institution a kind of radicalism—he did not call it low radicalism—which dealt in actions of this kind, and made people outside believe that they were great patriots, and very economical of the public money. They would get up a discussion about a paltry pension to an old Sergeant-at-Arms, or reducing the salary of a poor porter, so as to make a parade before their constituents, and to show that they were the great Humes of the Assembly. In other legislative Assemblies the same sort of thing was indulged in. He would consider the matter from another point of view. He thought a question like this should be settled among honorable members themselves, as a matter of convenience between the incoming Ministry and the outgoing Ministry. He was sure there was no honorable member on the Government benches who would not be glad to show any courtesy to any outgoing Ministry. He submitted that there was a great inconvenience in the way of the outgoing Ministry obtaining suitable lodgings for themselves and their families. The incoming Ministry might consist of those happy individuals, single gentlemen, who could live in a comfortable hotel, and it could not be expected that an outgoing Minister should be turned out of his residence with perhaps a delicate wife and eight or nine children, and be reduced to the absolute possibility of finding lodgings somewhere. They could not expect that they could take lodgings in an hotel. Under circumstances of that kind

some consideration should be shown to gentlemen in the position in which outgoing Ministers were placed. It was altogether a matter of good feeling between gentlemen, and in which courtesy should be the guiding principle. He would not object to the recommendation of the Committee that there should be a fixed term of thirty days, beyond which the outgoing Ministers should not occupy their residences. He did not think that would lead to any serious inconvenience. He had no doubt the good feeling of any Ministry would always lead to an adjustment of the matter that would be satisfactory to all parties. He was sorry that there was any necessity for making any remarks, but after the statements of the honorable member for Geraldine it was impossible that he should not say a few words on the subject.

Mr. WAKEFIELD explained that he meant no disrespect to the honorable member for Wanganui. He offered no opinion on the matter, but simply referred to the only precedent they had, showing how the matter had been dealt with formerly.

Mr. JOYCE trusted they would waste no more time in discussing this question. He thought they should avoid for the future any possibility of the occurrence of a discussion on a subject so trivial, by selling the Ministerial residences as soon as possible. He did not see why Ministers could not provide lodgings for themselves as other members had to do, and thus avoid the pitiable exhibition they had had this session. He saw no special reason why the colony should provide Ministers with houses, and held that, if they were to be so provided, the proper corollary would be to have a model lodging-house attached to Bellamy's for the benefit of private members.

Mr. REES thought some step should be taken in relation to this matter. Honorable members would be neglecting their duty if they did not establish some rule rather than be liable to unpleasant occurrences when changes of Ministry took place. He objected to the tone assumed by the honorable member for Wanganui when speaking on this subject. When any person took his stand on the ground of any recognized principle the honorable gentleman immediately held him up to ridicule, or attempted to do so, forgetting that he often laid himself open to ridicule. It was better that honorable members should take up a high moral stand than assume the rôle of a charlatan or a buffoon. He would ask whether honorable gentlemen came to this deliberative and representative Assembly to play the part which the honorable gentleman had played two or three times during this session—a part not conducive to the dignity of the House, but one which was calculated to bring the whole House into ridicule. They had seen in the newspapers words like these: “another specimen of the honorable member for Wanganui;” “another scene in the House;” when the honorable member made a speech like that he had just delivered, and when there was no necessity for such language being used. The honorable gentleman seemed to think he was a privileged person in that respect. It was unbecoming in a man of his years, and in

one whose name had been long associated with the history of the country. It would have been far better had the honorable gentleman simply spoken on the question before the House and given the result of his experience upon it, rather than have talked of the Premier's cheese-paring policy. It was the absence of principle in these matters which he (Mr. Rees) believed had lowered the tone of this House. However trivial the matter might be, it was far better that it should be regulated upon some known principle—a principle from which no Minister or any one else could depart. Instead of this being a cheese-paring policy, it was the assertion of a high-standing principle, which should be encouraged in this House rather than ridiculed. The same principle which regulated such matters as these, however trivial they might be, would regulate the whole conduct of the business of the country. If they were simply to make them matters of convenience and not of principle, the whole business of the country would be conducted in the same manner. He was not ashamed of making a high stalking-horse of principle, and he would rather hear more of it, both inside and outside of the House. He thought the report of the Committee ought to be printed, and some resolution arrived at which would definitely adopt either the recommendation of the Committee, or some other plan which would be considered satisfactory to the House.

Mr. REID remarked that the honorable member for Auckland City East was about the last person in the House who should take upon himself the position of censor. His reference to the honorable member for Wanganui no doubt he considered in very good taste, but he (Mr. Reid) thought differently, and, as for that honorable gentleman's speeches being ridiculous, no honorable member's speeches were so ridiculous as those of the honorable member for Auckland City East. He looked upon this as an exceedingly trumpery affair, and he thought it was greatly to be regretted that two Ministers of the Crown should have thought fit to have raised a debate upon such a question, and so have led to the waste of a great deal of time which might have been profitably occupied in going on with the business on the Order Paper. Not only had one Minister introduced this subject, but the Premier must needs make it appear that this matter involved a great question of public policy, and that the public revenues would be affected by the decision which the House might come to on this occasion. That was not the case, for the public revenues would not be affected in any way. He could not conceive that it was for one moment intended that, during the short interregnum that might take place between the resignation of a Government and the assumption of office by another Government, these buildings should be let. There was a question of a very grave character which might be debated fairly, and that was, whether it was now necessary to keep Ministerial residences; but that was entirely apart from the question as to whether Ministers retiring from office should vacate the residences one or two weeks earlier than at present, in

order that their successors might take possession of them one or two weeks sooner. It was simply a question of convenience as between the retiring and incoming Ministers, and had nothing whatever to do with the public revenue. It appeared to him proper that the gentlemen who were in occupation of the residences at the commencement of a session should be entitled to retain possession until the close of the session, whatever changes might in the meantime occur. It had occurred—and doubtless would occur again—that two changes of Ministry had taken place during one session, and it would be exceedingly inconvenient for a Ministry who happened to be in office for only a week to move in and move out of those residences. The Public Accounts Committee had brought in a different proposal—namely, that retiring Ministers should be allowed one month to leave the residences. Possibly the House might agree to that, although he preferred the plan he had suggested. As to the other question, he thought the necessity for Ministerial residences was becoming less day by day, and it was quite possible that the colony could soon do without having them. He did not go so far as to say that, having acquired the houses, it would be to the advantage of the colony to dispose of them. The colony might retain possession of them until such time as the buildings required too great an outlay in the shape of repairs. They could then be disposed of, and after that Ministers could provide themselves with accommodation as they pleased. However, he was sorry that the question had been raised that day, especially under existing circumstances, because there were matters of far greater importance to be considered, by which not £5 or £10 but thousands of pounds could be saved to the colony if due attention were given to them.

Mr. J. C. BROWN said the simple question at issue now was, how long retiring Ministers were to retain possession of the residences; and he thought that should be settled, because it was not right that the colony should be paying the rent of houses for ex-Ministers while Ministers were also drawing house-allowances. He understood that the late Ministers had refused to pay rent.

Mr. ORMOND said the honorable member for Tuapeka was quite mistaken in stating that the late Ministers had refused to pay rent: nothing of the kind had occurred. What had occurred was this: His honorable friend the member for Egmont, after consultation with Ministers, agreed that the whole matter should be referred to the Public Accounts Committee, he being willing to pay everything that was considered to be fair. Therefore the matter had been referred to the Public Accounts Committee.

Mr. REES, as a member of the Public Accounts Committee, denied that such was the case. He thought the general question had been referred to them. Had it been otherwise he should have tabled a resolution on the subject. He had never looked at the matter in the light of an arbitration.

Major ATKINSON said there was nothing of the nature of an arbitration. The position of the

thing was this: Hearing who was to take possession of the residence in which he had lived, he waited upon him and asked if he (Major Atkinson) were to turn out at once. The reply was, "No; do not hurry. It will not inconvenience me. Take your own time." After that he received the extraordinary circular which had been read to the House, and which he certainly considered was not that kind of communication which should pass between gentlemen, especially when one of the parties was a Minister of the Crown. He then thought it would be better to bring the matter before the House, but on second thought considered it too trivial. He therefore saw the Colonial Secretary and the Minister of Justice, and suggested that the best course would be to refer the matter to the Public Accounts Committee to determine the terms and conditions upon which they should leave the residences. That was agreed to, and he showed the Minister of Justice the resolution he purposed proposing; and that honorable gentleman agreed with it. It was submitted to the House, agreed to, and the matter referred to the Public Accounts Committee. That was all that had occurred so far as he was concerned, and the only thing he had to regret was that such an insulting circular had been sent to the late Ministers. As to the main question, he should defer his remarks till another occasion.

Mr. BARFF trusted that the House would remember that it was getting very late in the session, and at once dispose of a matter which should never have come before the House at all. It was a question with which the Government were quite competent to deal, and sending it to the Public Accounts Committee to report upon had been almost as absurd as appointing the Commissioners of Audit to report upon the fall of the Brunner Bridge last year. It was all very well for gentlemen who could not discover any question of privilege, to bring up a discussion of this kind, but private members could not afford to sit and listen to such interminable talk. If at a future time the House got into such a discussion of this kind, he should attempt to get a count-out.

Motion agreed to.

#### THORNDON SCHOOL.

Mr. GISBORNE asked the Minister for Education, Whether the Government will give a suitable site, out of the reclaimed land or other Crown land in the Thorndon District of the City of Wellington, for a school under the Education Act? A great part of the Thorndon District in Wellington, and especially that part towards the boundary of the town, was deprived of the advantage of a public school in consequence of the Board not having in its possession a suitable site on which to erect a school. While the Board had money with which to build a school, it had not sufficient, with the present high prices that ruled for land in the town, to purchase a suitable site. The result was, that a great part of the rising generation was deprived of the advantages of public education. He wished to know whether a suitable site on the leased portion of the reclaimed

Mr. Reid

land at Thorndon, or, if that was not available, some Crown land within that part of the city, could be allotted to the Education Board as a site for a school. He felt sure that if the Government saw their way to grant this request they would confer great educational advantages on the part of the City of Wellington referred to.

Sir G. GREY replied that the Government had no power to deal with the reclaimed land until some law was passed on the subject. The matter would, however, receive the earnest consideration of the Government.

#### PICTON AND BLENHEIM RAILWAY.

Mr. SEYMOUR asked the Government, Whether they will, without further delay, construct the unfinished portion of the Picton and Blenheim Railway, consisting of about one mile, so as to secure communication between Blenheim and the Port of Picton? He had hoped to be able to put his question to the Minister for Public Works, and very much regretted the cause of that honorable gentleman's absence. The facts of the case were briefly these: In 1871 the House determined to construct a line of railway from Picton to Blenheim, and fixed the distance at twenty miles, which rather exceeded the real distance. Unfortunately, as was the case with other lines, a sufficient sum of money was not set apart to construct the whole of the line, and the consequence was that it stopped short at the wrong side of a river liable to very serious floods. In or about 1874 the iron girders for a bridge across this river, in order to complete the line, were ordered from England, and were now in stock, he believed. In 1875 the House voted the necessary funds to carry out the railway, and again, in 1876, did the same thing. The land had been purchased throughout, and, in addition to that, an acre had been purchased in the centre of the town for a station. The successful working of the line very much depended upon the extension being completed, because, owing to the line stopping on the wrong side of the bridge, no merchandise or wool was carried on it. Recently the bridge connecting the line with the temporary station had been washed away, making it all the more desirable that the line should be completed to the centre of the town.

Mr. SHEEHAN replied that there was evidence of the intention of the late Government to construct this line, and any engagements entered into by them would be respected by the present Government. The extension of the line was necessary to make the job complete; otherwise it must continue useless. The official report was that there was no reason why the work should not go on, and the late Government positively stated that they intended going on with it. The late floods and the destruction of the road bridge rendered the line all the more necessary, though it increased the cost.

#### OPAWA BRIDGE.

Mr. SEYMOUR asked the Government, Whether they will, when erecting the railway bridge over the Opawa River, provide additional width,

so as to allow of ordinary cart traffic, distinct from the railway line?

Mr. SHEEHAN replied that he found that the practice had hitherto been to call upon the provincial districts to pay the expense of converting railway bridges into mixed bridges. It was now a question whether the counties which benefited by the bridges should be called upon to pay the expense. Inquiries would be made, and, if possible, this bridge would be made suitable for both classes of traffic.

#### "NEW ZEALAND HAND-BOOK."

Mr. BARFF asked the Government, Why the second edition of the "New Zealand Hand-book" has not been circulated in the colony? It had come within his knowledge that the second edition of this work had been issued, and that considerable alterations had been made from the first edition. It was rather surprising that the people of New Zealand should know nothing about it.

Mr. MACANDREW replied that a very small number of the second edition had been sent out. Of these, some had been distributed, some given away to parties requiring information, and the remainder were in the hands of the Storekeeper.

#### CIVIL SERVICE.

Mr. BARFF asked the Government, If they will lay before this House a return, showing what bonuses have been paid to officers of the Civil Service in Wellington during the last twelve months, together with the reasons in each instance for the giving of such bonuses, and the authority upon which they were given?

Mr. MACANDREW said the Government would have no objection to lay the return on the table.

#### DUNTROON AND KUROW RAILWAY.

Mr. HISLOP asked the Minister for Public Works, Whether the Government will, during the recess, cause a survey to be made from Duntroon to Kurow of a line suitable for a railway?

Mr. SHEEHAN replied that instructions would be given to have the line surveyed.

#### STAMP BILL.

Mr. SHEEHAN, in moving the second reading of this Bill, said it was practically a Bill of one clause, and was intended to remove a defect in the existing law which had caused considerable loss on one or two occasions. As the law stood at present, unstamped documents could be produced in Court as evidence on payment of the duty and a fine. But in the case of lost documents, unless they had been stamped secondary evidence could not be adduced with regard to them, even if the fine and duty were paid.

Mr. TRAVERS would like to call attention to the fact that the existing Stamp Act required amendment in other respects than this. One matter in which the revenue suffered very considerable loss from the peculiar wording of a clause in the Act had come under his attention. He referred to the clause which related to the transfer of shares. The 183rd section required

that the name of the transferee should be inserted in the transfer, but it was not necessary that it should be written in ink. The consequence was that it was often written in pencil, and afterwards struck out on the document passing into other persons' hands, so that the duty was evaded. He would therefore recommend that the name should be required to be written in ink, and then the real object of the framers of the Act would be carried out.

Mr. STEVENS would have been very glad if the honorable gentleman had seen his way, while introducing a Bill on this subject, to take the opportunity of making some further amendments which were very much wanted. He would call attention to one or two points which had come under his notice some time since. The only exemptions provided for in section 11 of the Act were declarations before a notary. This had been found to be very oppressive, and the cause of great inconvenience to persons dealing with property, besides being unproductive of revenue. Another point had reference to clause 5 of the Act. There was considerable doubt found in practice as to who was to affix and cancel an adhesive stamp. A word or two in the clause would remove a very great amount of inconvenience and doubt. He would also have been glad if the honorable member had introduced a clause providing that the law expenses attendant on probate of wills, and on testamentary documents generally, should be allowed for in the assessment of the duty. That would be a reasonable condition, because the liability attached to the estate was just the same as any other debt which a person owed. He also thought that estates not exceeding £100 should be released from the responsibility of furnishing the exceedingly elaborate accounts demanded. At the present time, if a labouring-man or person of moderate means left behind him a very small estate, the accounts that had to be furnished were exceedingly voluminous, and required the intervention of an expert. He had acted in that capacity himself, and could say from experience that the accounts were of a very voluminous character. Although this procedure might be necessary in large estates for the protection of the revenue, still, in the case of small estates, where a man left a widow and family behind him—persons not accustomed to business—it was very oppressive and expensive for them to have to employ a professional person to make out these accounts. The revenue derived from these small estates was really very trifling, and the inconvenience caused to the persons interested was very great. He hoped the honorable gentleman would have clauses put into the Bill in Committee which would have the effect of removing the difficulties he had mentioned.

Mr. SHEEHAN said the defects pointed out by the honorable gentleman were not the only defects in the existing Act. There were a number of others; but the Government did not see their way to introduce a general Act to amend the Stamp Act. This Bill was brought in in accordance with a promise made to their predecessors, otherwise it would not have passed through this

year. If the honorable gentleman would give him a memorandum of the points he had raised, he would endeavour to get clauses inserted in the other House to give effect to his suggestions.

Bill read a second time.

#### GOVERNMENT NATIVE LAND PURCHASES DISCONTINUANCE BILL.

Mr. SHEEHAN, in moving the second reading of this Bill, said it was introduced in fulfilment of a statement he made on a previous evening. Its object was to enable the Government to close up the present system of purchase on commission. They would settle up the accounts of the parties who had been so employed, and hand over the completion of these transactions to officers of the Government, who would be responsible for their acts. It would give a little more power than the existing Act, because they found that private persons were endeavouring to interfere with the Government purchases, and were offering higher prices, and picking out the eyes of country which was supposed to be in the possession of the Government. He proposed to put this land on the same footing as lands in the Thames and Hauraki Districts which were protected under the Native Lands Protection Act of 1866. It was not unreasonable to claim that right. They proposed to close up the commission transactions as speedily as possible, and where they could not complete the purchases they would notify the fact in the *Gazette*. When the Government gave up its right to purchase it would also notify that fact, so that others could come in and buy. They proposed to provide that copies of the *Gazette* should be sent to the Deeds Registry Offices and the Land Transfer Offices, because several cases had occurred where interests in Native lands had been acquired by private persons, and, before the Crown was aware of it, indefeasible titles had been obtained.

Mr. TRAVERS pointed out that a great deal of the difficulty which the Government met with in respect to these purchases arose from the fact that the Proclamations under the Public Works Act were scarcely in any instance properly framed. That Act required that the object in view in the case of each reservation should be set out: but that had not been done. He was aware that many lawyers had advised that the Proclamations were absolutely void, and might be disregarded by persons who chose to interfere with the Government purchases. He would suggest that it would be desirable that all Proclamations should be deemed to be valid from the time they were issued, so far as they related to purchases which had not been actually completed before the passing of this Act. He was quite satisfied that in a large majority of cases the Proclamations were absolutely nugatory.

Mr. ROLLESTON would support the Bill, as it went in the right direction. However, he would suggest whether it would not be better that the Proclamation abandoning the hold upon the land should take effect from the date of the Proclamation. As the clause stood, it would give rise to the idea that the Government had abandoned the land, not in the interest of com-

*Mr. Travers*

petition, but in favour of some particular individual. The Proclamation should take effect upon a date to be named in the Proclamation.

Mr. SHEEHAN said that, as to the point raised by the honorable member for Wellington City (Mr. Travers), he might state at once that he believed the whole of the Proclamations were bad, and might have been set aside by any proper tribunal before whom the point was raised. But they had ceased to exist, and the damage that could occur had occurred, and it would not be wise to go back. As to what had fallen from the honorable member for Avon, if the honorable gentleman would propose amendments in Committee he would be glad to accept them if they were to the effect that on and after a certain date the transactions should be abandoned. He did not object to that.

Bill read a second time.

#### DESTITUTE PERSONS BILL.

The House went into Committee on this Bill.

Clause 14.—Putative father, &c., may make composition.

Sir R. DOUGLAS moved, That the Chairman report progress, and ask leave to sit again.

Question put, "That the Chairman do now report progress, and ask leave to sit again;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	17
Noes	...	...	...	...	32
<hr/>					
Majority against...	...	...	...	...	15

#### AYES.

Major Atkinson,  
Mr. Baigent,  
Mr. Barff,  
Mr. Curtis,  
Mr. Fitzroy,  
Mr. Hunter,  
Mr. Manders,  
Mr. McLean,  
Mr. Ormond,

Mr. Rowe,  
Mr. Seymour,  
Mr. Shrimski,  
Mr. Tawiti,  
Mr. Teschemaker,  
Mr. Woolcock.  
*Tellers.*  
Sir R. Douglas,  
Captain Morris.

#### NOES.

Mr. Ballance,  
Mr. Bowen,  
Mr. Bryce,  
Mr. Burns,  
Mr. De Lautour,  
Mr. Dignan,  
Mr. Fisher,  
Mr. Gibbs,  
Mr. Gisborne,  
Sir G. Grey,  
Mr. Hislop,  
Mr. Johnston,  
Mr. Joyce,  
Mr. Kelly,  
Mr. Lumsden,  
Mr. Macandrew,  
Mr. Macfarlane,

Mr. Montgomery,  
Mr. Nahe,  
Mr. Reid,  
Mr. Richardson,  
Mr. Rolleston,  
Mr. Sheehan,  
Mr. Stevens,  
Mr. Stout,  
Mr. Swanson,  
Mr. Thomson,  
Mr. Tole,  
Mr. W. Wood.  
*Tellers.*  
Mr. J. C. Brown,  
Mr. Rees.

The motion was consequently negatived.  
Sir R. DOUGLAS moved the excision of the word "putative."

Question put, "That the word proposed to be left out stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	31
Noes	...	...	...	...	9
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Majority for	...	...	...	...	22

#### AYES.

Major Atkinson,  
Mr. Baigent,  
Mr. Barff,  
Mr. Bowen,  
Mr. Burns,  
Mr. De Lautour,  
Mr. Dignan,  
Mr. Fisher,  
Mr. Gibbs,  
Mr. Gisborne,  
Mr. Hislop,  
Mr. Hunter,  
Mr. Johnston,  
Mr. Joyce,  
Mr. Kelly,  
Mr. Lumsden,

Mr. Macandrew,  
Mr. Montgomery,  
Mr. Nahe,  
Mr. O'Rorke,  
Mr. Rolleston,  
Mr. Sharp,  
Mr. Sheehan,  
Mr. Stevens,  
Mr. Stout,  
Mr. Swanson,  
Mr. Thomson,  
Mr. W. Wood,  
Mr. Woolcock.  
*Tellers.*  
Mr. J. C. Brown,  
Mr. Rees.

#### NOES.

Mr. Curtis,  
Mr. Manders,  
Mr. McLean,  
Mr. Richardson,  
Mr. Rowe,

Mr. Seymour,  
Mr. Teschemaker.  
*Tellers.*  
Sir R. Douglas,  
Captain Morris.

The motion was consequently negatived.

Sir R. DOUGLAS moved, That the Chairman report progress, and ask leave to sit again.

Question put, "That the Chairman report progress, and ask leave to sit again;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	5
Noes	...	...	...	...	30
<hr/>					
Majority against	...	...	...	...	25

#### AYES.

Mr. Baigent,  
Mr. Manders,  
Mr. Seymour.

*Tellers.*  
Sir R. Douglas,  
Captain Morris.

#### NOES.

Major Atkinson,  
Mr. Bowen,  
Mr. Burns,  
Mr. Curtis,  
Mr. Dignan,  
Mr. Fisher,  
Mr. Gibbs,  
Mr. Gisborne,  
Mr. Hislop,  
Mr. Hunter,  
Mr. Johnston,  
Mr. Joyce,  
Mr. Kelly,  
Mr. Lumsden,  
Mr. Macandrew,  
Mr. McLean,

Mr. Montgomery,  
Mr. Nahe,  
Mr. Ormond,  
Mr. O'Rorke,  
Mr. Rees,  
Mr. Reid,  
Mr. Richardson,  
Mr. Sharp,  
Mr. Sheehan,  
Mr. Stevens,  
Mr. Stout,  
Mr. Swanson.

#### Tellers.

Mr. Barff,  
Mr. De Lautour.

The motion was consequently negatived.

Mr. STOUT moved, That out of the words "not less than ten pounds" the word "ten" be omitted, with a view to insert the word "twenty."

Question put, "That the word proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	29
Majority against	...	...	...	...	18

## AYES.

Mr. Baigent,	Mr. Rolleston,
Mr. Brandon,	Mr. Shrimski,
Mr. Gibbs,	Mr. Travers.
Mr. McLean,	<i>Tellers.</i>
Captain Morris,	Sir R. Douglas,
Mr. Ormond,	Mr. Rowe.

## NOES.

Major Atkinson,	Mr. Macfarlane,
Mr. Bowen,	Mr. Montgomery,
Mr. Burns,	Mr. Reid,
Mr. Curtis,	Mr. Richardson,
Mr. De Lautour,	Mr. Sharp,
Mr. Dignan,	Mr. Sheehan,
Mr. Fisher,	Mr. Stevens,
Mr. Gisborne,	Mr. Stout,
Sir G. Grey,	Mr. Swanson,
Mr. Hislop,	Mr. Thomson,
Mr. Hunter,	Mr. Tole,
Mr. Joyce,	Mr. W. Wood.
Mr. Kelly,	<i>Tellers.</i>
Mr. Lumsden,	Mr. Barff,
Mr. Macandrew,	Mr. Rees.

The word was consequently omitted, and the word "twenty" inserted in lieu thereof.

Clause 2.—Near relatives.

Sir R. DOUGLAS moved, That the words "and brother" be struck out.

Question put, "That the words proposed to be struck out stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	30
Noes	...	...	...	...	9
Majority for	...	...	...	...	21

## AYES.

Major Atkinson,	Mr. Macfarlane,
Mr. Baigent,	Mr. Murray,
Mr. Barff,	Mr. Reid,
Mr. Bowen,	Mr. Rolleston,
Mr. Burns,	Mr. Sheehan,
Mr. De Lautour,	Mr. Stevens,
Mr. Dignan,	Mr. Stout,
Mr. Fisher,	Mr. Swanson,
Mr. Fitzroy,	Mr. Thomson,
Mr. Gisborne,	Mr. Tole,
Sir G. Grey,	Mr. Travers,
Mr. Hislop,	Mr. W. Wood.
Mr. Joyce,	<i>Tellers.</i>
Mr. Kelly,	Mr. J. C. Brown,
Mr. Lumsden,	Mr. Rees.
Mr. Macandrew,	

*Sir R. Douglas*

## NOES.

Mr. Beetham,	Mr. Rowe,
Mr. Hunter,	Mr. Woolcock.
Mr. Manders,	<i>Tellers.</i>
Mr. Ormond,	Sir R. Douglas,
Mr. Richardson,	Captain Morris.

The amendment was consequently negatived.  
Bill reported with amendments.

## DISQUALIFICATION BILL No. 2.

The House went into Committee on this Bill.

Mr. McLEAN moved the addition of the following new clause: "Subsection four of section six of 'The Disqualification Act, 1876,' is hereby repealed."

Question put, "That the new clause be read a second time;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	32
Noes	...	...	...	...	13
Majority for	...	...	...	...	19

## AYES.

Major Atkinson,	Mr. Macfarlane,
Mr. Ballance,	Mr. Manders,
Mr. Beetham,	Mr. Montgomery,
Mr. Bowen,	Mr. Murray,
Mr. Brandon,	Mr. Ormond,
Mr. Bryce,	Mr. Reid,
Mr. Burns,	Mr. Richardson,
Mr. Dignan,	Mr. Seymour,
Sir R. Douglas,	Mr. Sharp,
Mr. Fisher,	Mr. Stevens,
Mr. Fitzroy,	Mr. Sutton,
Mr. Gibbs,	Mr. Tole,
Mr. Gisborne,	Mr. Travers.

Sir G. Grey,	<i>Tellers.</i>
Mr. Hunter,	Mr. McLean,
Mr. Kennedy,	Mr. Rolleston.
Mr. Lumsden,	

## NOES.

Mr. Baigent,	Captain Russell,
Mr. Barff,	Mr. Sheehan,
Mr. J. C. Brown,	Mr. Swanson,
Mr. De Lautour,	Mr. Woolcock.
Mr. Hislop,	<i>Tellers.</i>
Captain Morris,	Mr. Kelly,
Mr. Rowe,	Mr. Stout.

The clause was consequently agreed to.

Bill reported, read a third time, and passed.

The House adjourned at half-past twelve o'clock a.m.

## LEGISLATIVE COUNCIL.

*Saturday, 1st December, 1877.*

First Readings—Second Reading—Third Readings—Land Bill—Wyndham Show-Ground Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

## FIRST READINGS.

Stamp Bill, West Harbour Mayoralty Bill, Maori Real Estate Management Bill, Native Lands Bill No. 2, Te Aro Reclamation Bill, Government Native Land Purchases Bill, Whangarei Port Bill.

## SECOND READING.

Greenwood Pension Bill.

## THIRD READINGS.

Food and Drugs Bill, Nelson Rifle Prize Bill, Greenwood Pension Bill.

## LAND BILL.

The Hon. Colonel WHITMORE. — On the 18th October last I informed the Council that I had been appointed to the office of Colonial Secretary, and sworn in as a member of the Executive Council. I then took occasion to state what were the leading features in the policy of the Government. That statement was made on a very few hours' notice, and I had not had that opportunity which I have since had of considering all the questions connected with the government, the administration, and the finances of the country. But the leading principles of the statement which I made on that day have characterized the action of the Government so far as they have had any opportunity of acting up to the present time. Their main principle was not to introduce any great political changes, but to devote themselves to administrative reform, and the introduction of more economy in the government of the country. We also thought we might be able to introduce a better financial system, and bring about that equilibrium between expenditure and receipts which for a great many years past had not really characterized our finances. I told the Council that we thought we should be able to make considerable economical reductions and alterations in the expenditure of the country. But I confess that when I came to understand our finances, after a very few days' inquiry into the subject, I found that there was a necessity for taking much larger steps than at the time I thought would have been necessary. In the course of my remarks on that occasion I told honorable gentlemen that, with regard to the land question, we hardly saw our way to make any great alterations until next session. But I distinctly sketched out to this Council the direction in which we intended to alter the disposition of the Land Fund and the land law of the colony. I used these expressions:—

"As regards the land question, we are very sensible that at present the system is in a very unsatisfactory position, but at this late period of the session we do not see our way to introduce any amending Act. Should the Government, however, continue to hold office until next year, they will then propose to introduce a Bill to sweep away the somewhat indirect and insidious modes by which the Land Fund is attacked, and to inaugurate a more direct, a more open, and a more candid system of dealing with the Land Fund. The Government look forward to establishing, as a basis of any legislation, a proposal

to localize a certain portion of the Land Fund for the better prosecution of a policy of public works and settlement."

Sir, that was the policy of the Government, but it was a policy we should not have given effect to until next session had the financial position of the colony allowed. Finding that not to be the case, we anticipated by six months giving effect to the policy which I have explained. It is a policy which, in my place as a private member of this Council, I have always advocated; and only last year, in reply to the Hon. Dr. Pollen, I took occasion to say that I considered that the generalization of the Land Fund was a duty on the part of the Ministry which I very much regretted they had not carried out. I said,—

"I consider that the time has come when we have but one alternative if we maintain the localization of the Land Fund, and that is a very large measure of taxation. As an alternative, I prefer to generalize the Land Fund; and, in doing that, I think we should bear in mind the absolute necessity of turning the Crown lands to their most profitable purposes, and that we should strive to make all we can out of our estate."

That is precisely what the Government now propose to do. They propose to generalize the Land Fund throughout the colony, and to make it colonial revenue; but they propose to give the very outside amount they are able to afford to the provincial districts for the better prosecution of their public works. It has been decided to give to each provincial district in which a Land Fund accrues a proportion of 20 per cent. of the gross receipts, and to continue, at all events for this year, the subsidies that were given last year to the Road Boards, River Boards, and Municipal Councils. It has been said that so great had become the burdens upon the country that it was improbable that a finance based upon those proposals would succeed in avoiding a deficit; but I am happy to be able to inform honorable gentlemen that, after careful consideration and very close examination of the public finances, we have no reason to believe that there will be any deficit at all at the end of the year, if effect is given to our policy. The Hon. Sir F. Dillon Bell, perhaps legitimately, called me to task for having varied from the statement I made to the Council on the subject of the Land Fund; but I feel quite certain that neither he nor any other honorable gentleman who has taken any part in politics in this country if he had been in my position could have withstood the logic of facts when he came to look into the question, or, in spite of having made such an announcement to the Council, would have hesitated to concur in a measure rendered absolutely necessary by the financial state of the country. It is, after all, not a very great alteration, for our predecessors, in the estimate they had formed of the Land Fund for the present year, had proposed to take directly 62½ per cent. of that Land Fund, and they proposed to charge a deficit of £167,000 upon it. That would have raised the proportion to no less than 90 per cent., according to their own estimate.



There was another very unsatisfactory part of the arrangement in connection with the disposal of the Land Fund under the financial arrangements of last year. Every year there would have been the same unfortunate difficulty of getting over the deficit in the Land Fund in all the provinces of the colony, except in two. Provinces might economize, might starve industry, might continue to carry on the government without anything like State assistance, and still, year after year, they would have had to bear the taunt of being defaulting provinces, and being perpetually brought in debt to the Colonial Treasury. That is a very unsatisfactory state of things, and it is a state of things which, sooner or later, would have rendered it necessary to take this step, probably too late to save the financial credit of the country; but certainly it must have brought it about, because it is impossible to suppose that two-thirds of the population of the country would have continued to undergo a state of things by which they were in the extreme of public penury, and starved in every direction, whilst there were others rolling in wealth, who absolutely did not know where and how to spend the proportion they enjoyed of public money. The defence of the course of policy we have taken is, first of all, its necessity; and, secondly, its fairness. The particular moment at which we have made the new system applicable is one so far advanced from the present time that it is absolutely impossible that any person will purchase land in this country under a misconception. No person will hereafter buy land under the impression that the whole 100 per cent. of his money is to be returned to that land, as I have been continually assured some people do now in various parts of the country. The accumulated sums, and those that will accumulate from now to the beginning of the year, will all go in the direction of localization under the financial arrangement of last year. So there is no danger that the proposal will be unjustly applied. We propose as far as possible to equalize the price of land throughout the colony; but we are met with many difficulties and many prejudices in that respect, and the subject is one which cannot be dealt with in a moment. We have introduced a short Bill which will be laid before honorable gentlemen to-day, and we think it meets the difficulties as well as they could possibly be met. We propose to make the price of land bought on the principle of free selection £2 per acre throughout the colony, and that other lands disposed of at auction shall be sold at a minimum price of £1 per acre, power being reserved to the Waste Lands Boards to increase that upset price in case of land of special value. That, however, is confessedly only an expedient until next session. We do not pretend that we would be responsible for a complete measure to be introduced now to meet the circumstances, and we think that if we brought forward such a Bill we should only be taking up the time of honorable members and cumbering the Statute Book with a measure that would have to be repealed next year. We have before us now a Bill which is the outcome of a great deal of reflection

*Hon Colonel Whitmore*

and pains on the part of the Government which preceded us, and we take it up as we found it, and bow to the decision of Parliament in the various alterations that have been made. If there is any portion of the policy of the Government to which honorable gentlemen during the debate may wish to call my attention, I shall be very happy to refer to it in my reply; but as I conceive that there is practically nothing changed in the proposals of the Government since I made my statement to the Council, with the exception of the one proposal about the Land Fund, I do not feel called upon just now to enter into the whole policy of the Financial Statement of the Government which honorable members heard in another place, and which has been circulated throughout the country. But I do feel called upon to explain why it was that I deferred until now to inform the Council of the change in the programme which I laid down on the 18th of October last. The reason for that, to honorable gentlemen who have any familiarity with politics, and I think to any generous-minded man, would be one very easy to understand. We had barely come into office, we were considering the question, and were almost ready to lay our plans before Parliament, when we met with a motion of want of confidence in another place, and, setting all other business on one side, we defended ourselves against that motion of want of confidence, and in the end we defeated it—defeated it by the casting vote of the Speaker. Immediately after the result of the division was announced we were met by another motion of want of confidence, and before that could be debated a vote of censure on us was proposed. Indeed we may be said to have been undergoing one continual attack upon our existence ever since we came into office. At last, Sir, the public outcry was so great, and it was so evident that the public interest was being so much injured by the faction of the Opposition in another place, that we determined to put our pride in our pockets, and, with a want-of-confidence motion on the Paper, which we set aside by constitutional means, we applied ourselves to getting through the business, and made a declaration of our Native and financial policy to the country. We have done it. With that motion of want of confidence on the Paper, we are carrying on the business of the country, I believe, with satisfaction to the great bulk of the people and of an actual majority in Parliament. But just at the beginning, when we were threatened with votes of want of confidence, when honorable gentlemen might have had to deal with this question with some other representative of some other Government on this bench, it would not have been proper for me to come forward and tell this Council that we had found reasons for changing our minds, and for anticipating by a few months our intended action. Nor has it ever been our practice, when important business is introduced in another place, to make explanations until we had the Bills before us in the Council. In one year I find it was put to the vote whether we should do so or not, and the opinions expressed at the invitation of the Hon. Mr. Gisborne were, on the whole, against the in-

novation. It was therefore decided not to do so, and the Public Works policy was explained to this Council on the second reading of the Public Works Bill. That was a sufficiently great occasion; the changes proposed were much larger and the measure more important than this small one relating to the appropriation of the Land Fund; and I may well take it as my guide. Last year a Bill something of the same character as the present one was introduced into the Council, but we were so very much oppressed with all the Bills necessary to give effect to the legislation for the establishment of local government that we were not able to give it the time and attention we should have liked, and we declined to consider more than the machinery clauses. This year a Bill has been introduced which has been for a long time before Parliament, and, as some honorable gentlemen have said in allusion to it, there are few members here who are not pretty well familiar with its provisions. It is a consolidation Bill, and an adaptation of all those provisions which have been found to work best in the provinces. It leaves most of the land laws as they are, and it makes some liberal innovations on the deferred-payment system. One proviso is an entirely new one. There is a clause under which blocks of land of purely pastoral character may be set apart for sale on deferred payments, and exposed to auction in blocks of 500 to 5,000 acres. I presume there will be very few cases in which a block so large will be put up to auction in that way, and the assumption is that the provision is intended to cover the contingency of the land being of a rocky character, or of a character that it would be impossible to farm unless a considerable area were included in the block, either from the peculiar configuration of the country or some other exceptional circumstance. Precaution has been taken in the Bill to prevent the "dummy" system enabling persons to take advantage of the deferred-payment sales to acquire large estates. There are useful provisions, based upon some of the recommendations of Captain Campbell-Walker, designed to protect our forests from destruction, and to provide for their administration. The ordinary deferred-payment system has been in force both in Southland and Otago, and the system is now proposed to be extended to the whole colony. The Waste Lands Boards remain as they are for a defined period, I think two years from their appointment, and afterwards they will continue to be appointed by the Government—a system which, as contrasted with that of election, has many advantages. At all events, Parliament will then know whom to hold responsible for any act of administration in connection with the waste lands; whereas if Waste Lands Boards were elected it would be very hard to hold the Government responsible for their action to the same extent. I do not know that there is any other point in connection with this Bill which requires any further explanation. I have trespassed a little upon the time of the Council to explain the deviation from the policy which I indicated here to the extent which I have admitted, more especially because I have on many occasions been asked questions and sometimes

twitted upon this subject; and I wished to be perfectly frank in my explanations to the Council. If the Bill is read a second time I shall move that the Standing Orders be so far suspended as to allow of the Bill being considered by a Committee of the Whole, instead of its being referred to the Waste Lands Committee, because I am given to understand that by adopting that course we shall save several days. If we remit the Bill to the Waste Lands Committee we should have to stop business to-day, the Bill would go on Monday to the Committee, it would probably not come out of the Committee until Wednesday, and then, if we were to have another discussion over it here, this one Bill would occupy the best part of next week; whereas, if we take the discussion in Committee of the Whole to-day, we might see our way to the end of the Bill by Monday evening. Therefore, as time is an object, I think the course I suggest would be a desirable one to take. But I have no wish to hurry honorable gentlemen. I make the suggestion in the interests of those honorable gentlemen who wish to expedite business, and if the Council thinks my proposal should not be adopted I shall bow to its decision. I now move, That the Bill be read a second time.

Bill read a second time.

The Hon. Colonel WHITMORE. — I move, That the Standing Orders be so far suspended as to admit of the Land Bill being considered in Committee of the Whole, instead of being referred to the Waste Lands Committee.

The Hon. Mr. HALL.—I am sure that any proposal which would enable the business of the Council to be brought to a conclusion speedily, and at the same time afford opportunity for properly considering the subjects which it has before it, will always meet with my hearty support. But if honorable members will consider what it is the Colonial Secretary proposes to do, they will at once see that the honorable gentleman is asking for more than this Council, consistently with its duty to the public, should agree to. The honorable gentleman asks us to take this unusual course with regard to a Bill which we only received this morning, and which the Council has read a second time because there is no new principle involved which it is wished to dispute; but which is a mass of details upon a most important subject, and to which, if we are really worthy of our position as an integral part of the Legislature of the colony, we are bound to give our very careful consideration. This is a Bill of the utmost importance to the welfare of this colony, dealing as it does with the land, the great source of our wealth, with the manner in which that land shall be administered, the machinery which shall be provided for that administration, the terms upon which the land shall be sold and occupied, and so on. Surely that is a measure which we should not pass over in a more rapid and perfunctory manner than any other Bill which has been brought before us this session. However anxious honorable members may be to get to their homes—and no one is more anxious than I am—I do not think they will consider it consistent with their duty not to give proper and careful consideration to this

Bill; and to go into Committee upon it this afternoon, when it has only been put into our hands this morning, is, I think, more than the Hon. the Colonial Secretary has a right to ask. Then my honorable friend proposes to pass over the Waste Lands Committee in the discharge of a duty which, above all others, it has been appointed to carry out. The members of that Committee have had before them the various Waste Land Bills of the session, and have obtained some experience of the manner in which these Bills are framed; and surely, if there is any occasion on which, by going carefully through details, getting explanations upon one point and upon another, seeing whether apparent discrepancies are real, and whether difficulties cannot be harmonized—if there is one occasion, I say, more than another upon which the deliberations of such a Committee could assist the Council in arriving at a right conclusion, surely it is the present. The honorable gentleman has said that if we go into Committee at once we may probably finish the Bill on Monday. If I am not mistaken, when, in a previous session, the Waste Lands Administration Bill to which the honorable member referred reached the Council six days before the close of the session, no person objected more strongly than the honorable gentleman to our being hurried in the consideration of that measure; and yet he now asks us to pass a Bill which reaches us on Saturday, and to dispose of it altogether by Monday evening—a Bill more important than the other one to which I have referred was when it left this Council, because we only consented to retain those portions which were matters of machinery. But now we are asked to assent to an entirely new system of disposing of the land, so far as many provinces are concerned, and the honorable gentleman proposes that we shall only have from Saturday to Monday to pass it. I, for one, think I should be failing in my duty to the country if I did not agree to remain here as long as may be necessary to fairly consider this Bill. I might refer to the question of who is responsible for this Bill coming to us at this late period of the session—whether it might not have come to us a few days earlier; but I will waive that. What I want to say is, that we should give this measure fair consideration, and do our best in the interests of the country. I hope honorable members will agree that it is our duty to remain here a few days longer, in order that we may give it proper consideration, and not hurry over it in the manner which the proposal of my honorable friend would seem to suggest.

The Hon. Mr. ROBINSON.—I shall support the proposal of the Colonial Secretary. I differ entirely from the Hon. Mr. Hall. The honorable gentleman has laid very great stress upon the importance of this Bill, and spoken of the change in our land laws, and so on. I quite agree with him that it is a matter of very great importance indeed. He has alluded with much emphasis to the late hour at which this Bill has come down, and has charged the Colonial Secretary with a desire to hurry it through the Council with indecent haste—

*Hon. Mr. Hall*

The Hon. Mr. HALL.—I hope the honorable gentleman will not put words into my mouth which I did not utter. I said we should be hurried in our consideration of the Bill if we passed it within the time suggested by the Colonial Secretary.

The Hon. Mr. ROBINSON.—I should be sorry to attribute anything to the honorable gentleman which he did not mean; but I certainly understood him to charge the Colonial Secretary with a wish to pass this Bill through in a hurried manner. Now, it seems to me that the proposal of the Colonial Secretary will enable us to give a great deal more time to this Bill than the course advocated by the Hon. Mr. Hall—namely, a reference to the Waste Lands Committee. That Committee is composed of nine members; and if the Bill is remitted to them, after having taken two or three days to consider it, they will come down with their report, and some of the Committee will move that it be adopted. Then, if any honorable gentleman gets up in his place and opposes the conclusions arrived at by the Committee, we shall be told that we are not showing that courtesy to the Waste Lands Committee to which they are entitled. Can honorable gentlemen who oppose the motion really be desirous of giving pains, and time, and attention to the Bill? I speak entirely without any feeling upon this question, although my own name has more than once been brought forward with regard to the constitution of the Waste Lands Committee; but I do not hesitate to say that the Bill can be much better considered by a Committee of the whole Council than by the Waste Lands Committee. The Waste Lands Committee I regard to a certain extent—I hope the Council will pardon the expression—as a “packed” Committee. I have not said that hurriedly. I thought over it before I used it. I was greatly surprised yesterday when I heard the Hon. Mr. Menzies ask for leave of absence—I had not heard of his intention to go—and when I heard him ask for his name to be withdrawn from the Waste Lands Committee; but I was more surprised at the manner in which that vacancy was filled up. On former occasions when a vacancy has had to be filled up it has been done by the voice of the Council, but upon this occasion it was by ballot; and I have reason for saying that before the Council met yesterday it was arranged which honorable gentleman should be elected to the position vacated by the Hon. Mr. Menzies.

An Hon. MEMBER.—How do you know?

The Hon. Mr. ROBINSON.—I will ask the honorable and gallant gentleman if what I say is not correct. If he can get up and say that I am wrong I will withdraw every word that I have said. It is a most extraordinary coincidence that an honorable gentleman, who is not in his place at the present time, when we were dealing with a report with regard to the improvement of these buildings, mentioned that the passages of the building were absolutely too narrow for lobbying—it rubbed the buttons off his clothes. Well, Sir, I had no idea that such things were done, but, as I said to him, I have no doubt that he is

an excellent authority upon that question. To return to the question before the House, I think it would only be a waste of time to refer the matter to the Waste Lands Committee. It is a highly important measure, and I think it is very desirable for every one of us to be acquainted with the details of the Bill before we consent to its passage through the Council. Supposing the Bill is referred to the Committee, what is the Council to do then? Are we to take the report without inquiry? Will it not, notwithstanding the report of the Committee, still be our duty to make ourselves acquainted with the Bill? I think it will, and I say it would be a complete waste of time to let it go to the Waste Lands Committee. On the other hand, if we consider the Bill at once, not only shall we save time, but we shall bring out the Bill in a better, clearer, and more distinct form than if it went to the Waste Lands Committee, in which I have no confidence. I therefore hope that the motion of the Colonial Secretary will be agreed to.

The Hon. Captain FRASER.—I would like to ask your ruling on this point: Are not many honorable gentlemen in the Council personally interested in the question now before us, and have they a right to speak and vote on the Bill?

The Hon. the SPEAKER.—The honorable gentleman must remember that personal interest is different from class interest. I do not think the question of "direct pecuniary interest" applies in this case.

The Hon. Mr. MANTELL.—I could not see that there was much argument in the remarks of the Hon. Mr. Robinson, for this reason: that the Waste Lands Committee is not a body which sits with closed doors, and any honorable member desiring to gather a full knowledge of the Bill can easily do so by attending the sittings of the Waste Lands Committee when the Bill is being considered. An honorable gentleman near me suggests that the Committee-rooms are not large enough to admit of such a thing; but I would point out that there can be no objection, as the Committee does not meet while the House is sitting, to this chamber being used, in which case honorable members may sit in their accustomed seats and hear the deliberations of the Committee. That, I think, disposes of that point. But I would point out that the fact of the Committee sitting to examine into the Land Bill need not prevent other members of the Council who are not members of that Committee employing their time in making the fullest inquiries into the contents of the Bill. I quite agree with the Hon. Mr. Hall that it would be absurd to deprive the Committee of its functions in respect to the one measure for which it was constituted. The Committee was constituted to consider all matters relating to the waste lands of the Crown, and I cannot conceive that any Bill could more directly bear in that direction than the one we have now before us. For the last session or two the Committee has been engaged in the verification of schedules mainly, but that is not its only function. In former sessions this Committee had to dispose of the Waste Land Bills of various provinces, notably those of Otago; and,

when a Bill to apply generally to the whole of the colony comes before the Council, I think it ought, as a matter of course, to go to that Committee. There are many clauses into which it is necessary to examine very closely, and I think that can be done much better by the Waste Lands Committee than it can be done by a Committee of the Whole. As to the allusion of the Hon. Mr. Robinson to a "packed" Committee, I think that such a statement ought not to have been made in the House without the honorable member having been called upon for an explanation as to what he meant. I merely rose to point out to the Council that there would not be any waste of time in referring this Bill to the Waste Lands Committee, and I really think that course is absolutely necessary if the measure is to be passed in a creditable shape.

The Hon. Captain FRASER.—I intend to support the motion of the Colonial Secretary, and I have several reasons for doing so. The principal reason is this: that the Bill, if passed, would shower great blessings on the runholders of the Province of Canterbury, and would give nothing at all to the runholders of the Province of Otago. I think that that is quite sufficient to induce us to go at once into Committee. Everything that is contained in this Bill, from beginning to end, has been before us for the last four months, and I believe that there is not a single member of this Council who has not got the whole of its clauses at his fingers' ends. If we go into Committee I will be bound to say that in four hours we can make a better Bill of this than it could be made by the Waste Lands Committee if we waited for a week. It is a Committee in which I have no confidence whatever. Sir, I believe this Bill will bring prosperity and happiness into many families, and will have the effect of raising up many hundred homesteads in Otago and Canterbury. The runholders have had the runs long enough, and it is now high time that the people themselves should enjoy a fair share of the good things. A certain number of people have had, in the past, the manipulation of the land laws of the various provincial districts, and the consequence has been that they have manipulated the land laws to their own advantage. It is high time that the people should partake of those advantages. The Bill will prove a source of happiness to many families, and will raise up hundreds of homesteads where at present there are only sheep. I trust the good sense of the Council will prevail, and that the motion of the Colonial Secretary will be carried. It is essentially a people's Bill, and I hope it will be carried.

The Hon. Colonel KENNY.—Sir, the Hon. Captain Fraser has given his reason for supporting the proposal of the Colonial Secretary, and I should like to be allowed to give mine. I do so in the presence of other honorable gentlemen who are almost as old members of the Council as I myself, and they will correct me if I state anything but facts. Sir, what is the origin of Select Committees? I remember the time when such a thing as a Select Committee did not exist, and I remember when they originated, and the causes that led to their introduction. The reason they

were originated was this: to facilitate the business of the Council. When there is a large amount of business on the Order Paper it tends to the quick disposal of business to refer to these Select Committees matters which require inquiry, and which can be more easily inquired into by a few members of the Council than by the Council as a whole. For instance, the taking of evidence is a tedious process, and could not very well be conducted in the Council. That was the origin of Select Committees. But, Sir, no evidence is required to be taken in this instance; and, looking at the Order Paper, what do we find? We find that there is absolutely nothing upon it—no political business for us to discuss except the Land Bill; and yet we are requested to delegate our duties to a Select Committee! The Council ought at once to agree to go on with the Land Bill in Committee of the Whole. I beg honorable gentlemen to look at the Order Paper before they vote, and consider that there is nothing for us to do except to dispose of this Bill. There are one or two trifling matters beside, but they can be disposed of in a few minutes. That quite justifies our departing from the ordinary rule. Therefore, for the reason given and for no others, and not because of any private feeling, I shall vote for the proposal of the Hon. the Colonial Secretary.

The Hon. Colonel BRETT.—Sir, ever since I have had the honor of holding a seat in the Council it has been an established rule that all land matters have been referred to the Waste Lands Committee for a report to be made thereon. That is a principle which has been upheld by every honorable member of this Council. We have appointed a Committee for that purpose, and representation on that Committee has been equally and fairly divided between the various provinces; but now, when the time arrives at which that Committee could be of use to us, it is proposed to do away with the principle which has hitherto been regarded as a *sine quâ non* in our proceedings. This Bill has been before the other branch of the Legislature for four months, a portion of which time it was before the Waste Lands Committee of that branch of the Legislature before it went into Committee of the whole House. Every member of this Council is deeply interested in this Bill—the whole country is interested in it. Are we, then, going to hurry on with this Bill before it has been examined by a Select Committee and reported upon? I trust not: therefore I shall vote against the motion of the Hon. the Colonial Secretary.

The Hon. Mr. HART.—I too, Sir, shall vote against the proposal, and I must confess my great surprise that one of the oldest and most experienced members of the Council should suggest that, because nothing is on the Order Paper, therefore we can consider, while we talk, the various clauses in this many-clause Bill. I do not know that we do, or can, consider clauses while we are talking about them. I think we ought to have time to read them before we can talk upon them, and I think so especially in regard to this Bill. The first time I saw this Bill was at ten o'clock this morning, and, as I have

Hon. Colonel Kenny

had other matters to attend to, I have not had time to read it. Therefore I have not considered it, and cannot consider it, because, if other honorable gentlemen call listening to the side-note of a clause being read consideration of that clause, I do not. With regard to the conclusion of the Hon. Captain Fraser, that by passing this Bill at once we should confer advantages upon the people and create hundreds of smiling homesteads, I am not prepared to suppose that we should do anything of the kind by rushing this Bill through before we have had time to consider it. I wish to satisfy myself that it will confer advantages—

The Hon. Captain FRASER.—I rise to a point of order, Sir. This Bill has been before the Legislature for the past three months.

The Hon. Mr. HART.—Perhaps the honorable gentleman is not aware that I find it enough to do to consider those measures which are before the Council, without running about to discover what is going on in another place; and, if the honorable gentleman does not do so, perhaps that will explain the unnecessary questions he puts respecting measures before the Council. A pretence of making smiling homesteads may turn out to be a spoliation of the country. In a Committee of the Council recently I have had an opportunity of discovering the mode in which an individual has appropriated a whole piece of country to himself under colour of establishing a small-farm settlement. Let me describe how the thing has been done. Over a large part of the Province of Otago the agricultural land lies in small narrow valleys; and the pastoral lands, or those lands which are called pastoral lands, lie at an elevation of from 1,500 or 2,000 to 5,000 feet above the level of the sea, which lands can only be occupied in the summer months. The one forms a frontage to the other, and to occupy these higher lands profitably a portion of the low-lying lands must be occupied with them. Indeed, if the lower lands are occupied the higher lands behind are absolutely useless, and valueless for sale. We have had it in evidence, then, that a considerable tract of this country has been monopolized by a single individual in this way: He has acquired the bulk of the low-lying country, and that has enabled him to command the whole of the back country, the result being that, while the whole of the block of country referred to was worth 15s. an acre for high land and 30s. an acre for low land, the low land is now worth but 15s. an acre, while the back high land is absolutely worth nothing. Now, I say that such a result as that from our land laws is not satisfactory. The land in this country should be administered as an estate, and should be administered for the benefit of the whole country. What will be the consequence supposing the land to be badly administered?

The Hon. Captain FRASER.—I would suggest, Sir, that the honorable gentleman is wandering far from the point. The principle of the Bill should have been discussed on the second reading.

The Hon. the SPEAKER.—I think the honorable gentleman is exceeding the usual limits.

The Hon. Mr. HART.—The second reading passed without discussion, and the honorable gentleman himself raised this question when talking of the smiling homesteads that would be created if the Council would only devote four hours to the consideration of this measure. Sir, I say that it is quite possible that, instead of creating smiling homesteads, we may, if great care is not taken, destroy the public estate, as we have heard, by evidence on oath, has been done in Otago. That is my argument for time, and, if that is correct, the argument of the honorable gentleman will not hold water. I think what I have said should induce honorable gentlemen to consider that time is required so that we may carefully read the Bill. I hope, therefore, that the Bill will go to the Waste Lands Committee.

The Hon. the SPEAKER.—I did not like to interrupt the honorable member, but I do not think he was in order in referring to evidence which has not been placed before the Council.

The Hon. Mr. HALL.—I think it is on the table, Sir.

The Hon. the SPEAKER.—No. If the report has been laid upon the table, I have not seen the evidence.

The Hon. Mr. HALL.—I beg your pardon. I was under a misapprehension.

The Hon. Sir F. DILLON BELL.—Sir, I think it is a great pity that so long a discussion should have taken place on this point, but at the same time I regret that the honorable and gallant gentleman who represents the Government should have asked the Council to take a course quite unusual—one for which, I believe, there is not a single precedent. He cannot be aware, when he makes such a proposal, of the large interests affected, and the very serious, even fundamental, alterations proposed in the law—alterations which many people conceive to be injurious to them. The honorable gentleman said he did not feel it necessary to go into the matter, as it was simply a consolidation Bill—

The Hon. Colonel WHITMORE.—I said there were some new provisions.

The Hon. Sir F. DILLON BELL.—There are many which the honorable gentleman did not mention. He did not say a word about selling land on deferred payments.

The Hon. Colonel WHITMORE.—Yes. The honorable gentleman must have been out of the Council. I explained that they were to be sold in blocks not exceeding 5,000 acres, and that it was unlikely such blocks would be laid off unless under exceptional circumstances.

The Hon. Sir F. DILLON BELL.—I learn that the honorable gentleman is quite correct, and that I was wrong in saying so. The change proposed to be made in the relations between the pastoral tenants and the Crown is very serious, and it will be conceded that important interests are affected by this measure. For my part, however, I do not care how the Council proceeds to consider the subject. If the Council prefers to go into Committee of the Whole rather than refer the Bill to the Waste Lands Committee, I shall not care a straw about it. But is the honorable gentleman prepared to tell this Council, as a Minister of the

Crown, that he will now recommend the Council absolutely to preclude the taking of evidence? I am a person who, for many years, has been interested as a freeholder, as well as a pastoral tenant in the occupation of the lands of the Crown, and I have done everything I could in my individual capacity to facilitate the settlement of the people on the land. In the first case in which I was asked to give up land which I held as a pastoral tenant for settlement, I not only gave it up freely, but I made no claim for compensation, and did not receive any. Upon a cogent question, the Mines Bill, the Colonial Secretary took it upon himself to accuse me of having been concerned in some legal contention in which I was interested as a pastoral tenant, and, directly in contradiction to facts, he held me up as being concerned in some transactions—

The Hon. Colonel WHITMORE.—The honorable gentleman always appears to me to be going back to the same thing over and over again. When the honorable gentleman corrected me in reference to that matter I withdrew my remarks. The whole object of mentioning it was to ask the honorable gentleman to corroborate me in a statement I was making. The honorable gentleman did not oblige me by doing that, but questioned the matter of fact, which I withdrew the moment he mentioned it.

The Hon. Sir F. DILLON BELL.—No.

The Hon. Colonel WHITMORE.—I beg the honorable gentleman's pardon. I did.

The Hon. the SPEAKER.—I think the introduction of this subject, belonging to the Mines Bill and to a previous debate, should not take place.

The Hon. Sir F. DILLON BELL.—I was asking the honorable gentleman to tell the Council whether he was prepared to state that his object was to prevent the investigation of the circumstances by evidence: and I should have gone on to say, as a freeholder and pastoral tenant, that I would like to have those circumstances investigated, not with the intention of making any accusation against the honorable gentleman, but merely to show the facts; and further, if the Bill went before the Waste Lands Committee I would have evidence taken on the subject—the evidence of the late Superintendent of Otago, of the late Provincial Secretary of Otago, of the Surveyor-General, who was then Chief Commissioner of Crown Lands in Otago, of the Assistant Surveyor-General, and of the Warden of the district. I would take very good care to have it completely shown what course I had taken in the matter. But, what is of much more consequence than that, in the manner in which this Bill proceeds to deal with private interests there are serious points to be considered which I do not think the honorable and gallant gentleman has yet considered. In this Bill, as I was pointing out in the case of the Mines Bill, there is a proposed saving clause for existing rights. Now, there is a question to which I will ask the honorable gentleman to be kind enough to give me an answer in his reply. If the honorable gentleman will turn to sections 77 and 78, which deal with pastoral lands to be sold on deferred payments, to section

121, which refers to pastoral lands, and to sections 116, 117, and on to 126, which relate to the manner in which runs in Otago are to be dealt with, he will see that the present pastoral tenant of the Crown is placed in a certain position. The Waste Lands Board, according to the existing law, is to determine, some time before the expiry of the lease, whether the lease of the runholder shall be renewed or not. Will the honorable gentleman tell me whether the 78th and succeeding sections, in his opinion, can be worked as they stand, in unity and harmony with the clauses of the existing Act of 1872? I am prepared to show by evidence that the Waste Lands Board in Otago has held a doctrine, and has proceeded to enforce it, which is held to be contrary to law, and on which questions of law are now pending. I wish to know how this Bill will determine those disputes, and whether the two Acts will work harmoniously together. It is an inquiry such as that which would properly be relegated to the Waste Lands Committee. If what the Council is going to say is this: "We do not care what the interests are which have been already created under the law; if this Bill confiscates them, let them be confiscated; if this Bill is to cause litigation, let litigation come"—if, I say, that is what the Council means, then I can understand the want of consideration for private interests which would furnish the reason why we are asked to deal with matters of this kind without inquiry. But if the Council means that persons having some rights to protect shall have an opportunity of a fair inquiry into those rights, then I say we ought to allow the Bill to go to the Waste Lands Committee. I approve of the principles of the Bill, and I wish to give them effect, and to help them in any way I can. I have no desire to thwart, frustrate, or put the least difficulty in the way of any principle that the Bill contains. All I wish is that it should work harmoniously—that the new law should take care that litigation should be stopped, and trouble and danger to private interests be prevented. And if there is one honorable member in the Council from whom I should not expect to hear the statement that he thoroughly approved of the Bill, and that it would be of such vast importance and benefit to the people of Otago, it is my honorable friend Captain Fraser; because over and over again he has come to me and asked me to use any influence to prevent the Bill coming into effect. Now he has suddenly brought forward this question of the deferred-payment proposals, by which means it is proposed to give homesteads to settlers—

The Hon. Colonel WHITMORE.—Is the honorable gentleman referring to previous debates, or to what took place to-day?

The Hon. Sir F. DILLON BELL.—I am not referring to previous debates.

The Hon. Captain FRASER.—I beg to refer the honorable gentleman to what I said on this Bill last session with respect to deferred payments. I was always a supporter of deferred payments, and of settling the people on the land. What private conversations I have had with the honorable gentleman I do not recollect. If the

honorable gentleman chooses to repeat any private conversation I had with him, all I can say is, I am not in the habit of knowing gentlemen who act in such a manner.

The Hon. Sir F. DILLON BELL.—I am very sorry to hear the honorable gentleman say that. I did not intend to say anything offensive to him. I was perfectly entitled to adduce what I have always understood to be his opinions—opinions which were certainly not given to me in any private conversations whatever. I repeat, I have no wish to interpose any obstacle to the consideration of this Bill in any form the Council likes to take it. I will do what I can to make it a good Bill, and will do the best I can to get it passed. But if the honorable and gallant gentleman prevents the Bill from going before the Waste Lands Committee—if he prevents the taking of evidence as to the effect this Bill will have upon interests created by the existing law—he will place men who are engaged in pastoral pursuits in a position in which I think no Government ought to place any one, especially where such large interests are concerned. Every one knows that it is the pastoral clauses which lie at the root of any difficulties here or in the other House in connection with this Bill. The Bill, so far as it deals with the sale of land, only consolidates the existing provisions of the law. It is in the pastoral question that the whole matter lies, and I think it would be very inadvisable for the Council to refuse any inquiry into such questions as I have mentioned. Rather, however, than have any ill-feeling created, rather than have that kind of mutual recrimination and acrimony existing which I am very sorry to see has arisen in this matter, I would consent very willingly to any course, so long as it enabled the Bill to be fairly and properly investigated. The suggestion made by the Hon. Mr. Mantell appeared to me perfectly reasonable. Honorable members seem to be afraid of the Waste Lands Committee, or of some members on it. Will the Council allow me to resign my seat on the Waste Lands Committee? I do not want to have anything to do with the Waste Lands Committee. The Hon. Mr. Robinson has spoken of that Committee as being packed, and, more for this reason than anything else, I speak under some feeling of indignation. The very day I took my seat in this House it pleased the Council to appoint the Committee by ballot, and since then the Committee has remained as it was, with the exception of one or two members who were appointed at the nomination of the Colonial Secretary. I do not know a single step in connection with the Waste Lands Committee which deserves such a term as the term "packed" being applied to it. I feel that any honorable member like myself who has been devoting his whole time and doing the best work he could upon the Waste Lands Committee day by day, and working steadily—

The Hon. Mr. ROBINSON.—I wish to say that I should be sorry indeed if I said one word that would hurt the feelings of an honorable gentleman in this Council. What I meant to intimate was that I did not think, when a gentleman was going to be appointed to a Committee,

*Hon. Sir F. Dillon Bell*

that any question as to who should be appointed should be canvassed in the lobbies.

The Hon. Sir F. DILLON BELL.—In respect to what my honorable friend refers to, I have only to repeat what I said some days ago. If the Colonial Secretary had proposed the Hon. Mr. Robinson yesterday as a member of the Committee, I would have voted for him. I do not want to stand in the way in this matter, and I entreat the Council to reconstitute the Waste Lands Committee if they are not satisfied with its members. As far as I am concerned as an Otago settler, and not a bad settler in my day, I do not want anything in connection with this Bill excepting a fair discussion of it in my place in this Parliament. Let the honorable and gallant gentleman move that the Waste Lands Committee be discharged, and I will second it. Let him move that my name be taken off, and I will second that motion, with the greatest possible pleasure. But, having worked during the whole session on that Committee, and done the best I could to examine the Bills relegated to that Committee by the Council, I am not inclined to take the slap in the face that is given to every member of it by the Council saying, "We shall not trust to any action in your Waste Lands Committee; you are people interested in the questions you are going to deal with; you will come down with resolutions and views of your own; and we will take the matter out of your hands." I say that would be a great affront to the Waste Lands Committee, and would be very unfair and unreasonable to its members.

The Hon. Colonel WHITMORE.—I find that my objection last year to the Waste Lands Bill was confined simply to a detail. I said that the franchise ought to be restricted with regard to persons who had land upon deferred payments. Otherwise I gave the Government great credit for bringing down the Act. I say that this Bill now is exactly the same Bill. We have had the subject under consideration for twelve months. Our attention has been called to it a great deal, because we cannot be within the walls of Parliament without hearing a great deal of the legislation about to be brought forward in either House, and it is usually the case that one's attention is very readily attracted where one's interest is even indirectly concerned. Consequently we pretty well know this Bill by heart. The Hon. Colonel Brett says it has always been the rule to refer Bills relating to the waste lands to the Committee. I do not deny that it has always been the rule; but I would ask, does the Standing Order relate to waste lands generally or to special waste lands? My own opinion is, that the first intention in adopting that Standing Order was that it should refer to special lands. When the Standing Orders were first written, the waste lands in all the different provinces were managed locally, and I do not think that a general law relating to the waste lands was ever referred to the Waste Lands Committee till last year. There never had been a general Waste Lands Bill brought in dealing on a uniform principle with all the lands of the colony until last year. Hitherto they have always been

local matters, and the Waste Lands Bills that came up here always had to pass through the Provincial Councils. Last year there was an exception, but it was necessary that the Bill should be considered by the Waste Lands Committee because of the great pressure of business. One reason for not referring this Bill to the Waste Lands Committee is, that it would be a great saving of time. Whatever the Waste Lands Committee may resolve upon, I feel quite sure that the question will be gone into *de novo* in the Council, so that the time devoted to the Bill by the Waste Lands Committee will be lost time. It was different last year, for there were no principles involved then. The Hon. Mr. Hall asked who was responsible for the delay in bringing the Bill before the Council. Why, the very day that the Government resolved to put their pride in their pocket and, in the interest of the country, go on with the business, in spite of the fact that a vote of want of confidence was hanging over them, the first Bill they brought forward was this Waste Lands Bill, and it was pushed on in preference to everything. I will say nothing about what the Hon. Mr. Miller said concerning an arrangement out of doors for filling up vacancies in the Waste Lands Committee, except that I regret that the course should be adopted, and I think it is a practice which would be much better honored in the breach than in the observance. The Hon. Mr. Mantell and the Hon. Mr. Hart, both Wellington members, have spoken strongly on the point of going through all the forms, and not in favour of taking a course likely to expedite public business.

The Hon. Mr. MANTELL.—I am not a Wellington member; I am an Otago member.

The Hon. Colonel WHITMORE.—Well, an Otago member resident in Wellington. I thought they would have spoken favourably of my proposal, but I am sorry they did not. The Hon. Mr. Mantell said, "If you want to hear what is going on in the Committee, why not sit round the table in this chamber? and we can listen to all that is said." But we do not want to listen. We believe that we shall differ from the views of the Waste Lands Committee, and if the Hon. Mr. Mantell's proposal were carried out we should have to listen to propositions which we should afterwards have to fight about, and having to listen to them without being able to reply would not be likely to improve our tempers or to expedite business. I believe there are irreconcilable differences of opinion as to some parts of the Bill, and the only way to test those differences is by voting in Committee of the Council. Let the question go to the vote at once, and that should settle it. If any particular clauses or schedules require to be verified they can be referred to a Select Committee, or to the Waste Lands Committee. I presume that, if there is any particular clause which honorable gentlemen think ought to be left over until Monday or a future day, there will be no difficulty in postponing it. Honorable gentlemen spoke with considerable derision respecting the smiling-homesteads proposal. Now, I have not got that objection to the Waste Lands Bill, or to



the deferred-payment system. I believe it will have the effect, especially in the South Island, of inducing a great deal of inland settlement. I have one objection to the deferred-payment system, but in my present position I shall not attempt to enforce it. It is simply this: that, if elective power is given to persons who hold deferred-payment sections, it is possible that influences which we have seen brought to bear in the Provincial Legislatures will be made use of in the general Legislature in order to induce a reversal of the conditions. The Hon. Sir F. Dillon Bell says very large interests are affected. That is true, but I am not aware that we are to consider the magnitude of those interests at all. The interests of every man are not properly measured by the area of the land or the value of the country. A man can only have his all, be it great or little. Under these circumstances I decline to admit that those clauses which affect the runs are the most material portions of the Bill. They are not the most material. The Government of which I am a member have opposed some concessions in this Bill to the pastoral tenants of Canterbury, and I shall take that course here if the question goes to the vote. I am perfectly well aware that the great feature of this Bill, which has induced the Government to support the Bill, is this feature of deferred payments and this extension of the principle to the whole colony, as far as that bears upon the settlement of the people on the land. I approve of that principle entirely. I believe that if the terms are insisted upon and carried out this system will be a good bargain for the State, and will be the means of satisfying a want. I believe that in future years we shall so amend the system as to make it perfect. The Hon. Sir F. Dillon Bell is very much exercised about the difficulty of taking evidence in the Council. If he will excuse me, I would point out to him, as a young member, that that is provided for in our Standing Orders, and no doubt, if he had known that, he would not have spent so much time in complaining that he was deprived of the opportunity. According to the Standing Orders witnesses are summoned by the Council in order to be examined at the bar of the Council or by a Committee of the Council. If there is any evidence the honorable gentleman wants to get—if he wants to examine all those illustrious people he named—I presume he could do so quite as quickly here as in a Committee. There would then be one examination, and it would be all over. With regard to the runs the honorable gentleman spoke about, I wish to point out to him that after the licenses cease no person has any interest in the runs, except in Canterbury, where there has been a virtual recognition of a certain interest by this Bill. But I want to know why the honorable gentleman is so particular about having this Bill examined so minutely, and evidence taken. One part of his speech is quite inconsistent with the other. He said he entirely approved of every clause of the Bill. Well, if that is the case, what does he want to take evidence about?

The Hon. Sir F. DILLON BELL.—I am sure the honorable gentleman would not inten-

*Hon. Colonel Whitmore*

tionally misrepresent me. I never said anything so stupid as that I approved of every clause of the Bill. I said I approved of the principles of the Bill—of every principle of the Bill.

The Hon. Colonel WHITMORE.—The honorable gentleman must have intruded the word "principle" in such a way as to mislead me, because I certainly understood him to say not "every principle," but "every clause." However, I seem to have been wrong, and the honorable gentleman approves of the principle of every clause of the Bill.

The Hon. Sir F. DILLON BELL.—No.

The Hon. Colonel WHITMORE.—If the honorable gentleman says he did not say so, of course I accept his explanation. It appears that I am wrong to the extent of leaving out the word "principle." I took down the honorable gentleman's words, and he used them not once, or twice, but frequently. He said another thing—that he would interpose nothing to stop the Bill, and that the sole difficulty he had was a matter of evidence, which, I have now pointed out to him, is a difficulty that need not stand in his way any longer. Therefore I claim the honorable gentleman's support to my proposal. I grant that the honorable gentleman has worked very hard during the session. He has been on several laborious and very difficult Committees. He was on one Committee with me in the early part of the session, and I know that he is on two important ones now, and I can quite understand that the honorable gentleman feels it to be a certain slight to have anything said about the Waste Lands Committee. But I ask him, would it not be more mortifying to him if, after giving all the time that he could possibly devote to this Bill, taking evidence from all the gentlemen he has named, and others, listening to the cross-examination of witnesses by other honorable gentlemen—if, when he had done all that, and had considered and drawn up, which nobody can do better than himself, a valuable report and submitted it to the Council, he found that report thrown on one side like a piece of waste paper, and the discussion commenced again *de novo*? I think that would be more likely to annoy him, and he would think nothing more vexatious than to have a work which had cost him a great deal of time and trouble rendered abortive when it had just begun to bear fruit and was laid before the Council to be accepted, admired, and adopted. I think, as far as the honorable gentleman's feelings are concerned, that he would be wise to follow my advice; and as there is no principle lying between us, and as he can take any evidence he likes at the bar of the Council, I think the honorable gentleman should vote for my proposal.

The Hon. Captain FRASER.—I ask the indulgence of the Council to make a personal explanation, which is due to the Hon. Sir F. Dillon Bell as well as to myself. In my repeated conversations with the honorable gentleman I stated to him frequently that I was totally opposed to the system of deferred payments, as injuriously applied to agricultural lands in Otago; but I am not aware that I ever referred to pastoral lands,

as the honorable gentleman will admit when I read what I said last session on the subject:—

"There is a very strange novelty introduced into this Bill, which I think will be a very great blessing to the part of the country from which I come. I mean the disposal of pastoral land in blocks on deferred payments. I think that is one of the greatest blessings which could be introduced into Otago or elsewhere in the interests of settlement, because, although we have a number of runs in Otago—I think about 300—how very few of those holding runs are living on them! They are living at the centres of population or at Home, doing no earthly good whatever in their own localities. I shall make every effort in my power to prevent any tampering with this Bill, lest it should be thrown out when it is sent back to the other House. I consider that would be a very great misfortune, because I think that this new system which is about to be introduced, and which has the consent of the whole of Otago, will be a great blessing. I shall support the Bill, and resist every attempt made to tamper with it."

The honorable gentleman will see that I could not have alluded to pastoral lands.

Question put, "That the Standing Orders be so far suspended as to admit of the Land Bill being considered in Committee of the Whole, instead of being remitted to the Waste Lands Committee;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	11
Majority for	...	...	...	...	5

#### AYES.

Mr. Acland,	Mr. Peacock,
Captain Baillie,	Mr. Pharazyn,
Captain Fraser,	Major Richmond, C.B.,
Dr. Grace,	Mr. Robinson,
Mr. Holmes,	Mr. Russell,
Lieut.-Colonel Kenny,	Colonel Whitmore,
Mr. Lahmann,	Mr. Williamson,
Mr. Paterson,	Mr. Wilson.

#### NOES.

Sir F. Dillon Bell,	Mr. G. R. Johnson,
Colonel Brett,	Mr. Mantell,
Mr. Buckley,	Mr. Miller,
Mr. Chamberlin,	Mr. Peter,
Mr. Hall,	Mr. Wigley.
Mr. Hart,	

The motion was consequently agreed to, and the Bill ordered to be committed on Monday.

The Hon. Captain FRASER hoped the Colonial Secretary would take the opinion of the Law Officers of the Crown with reference to the petition of the Otago runholders, because he had heard an opinion expressed that their position was just as good as that of the runholders of Canterbury, and that their runs could not be taken from them and disposed of to other people carrying on pastoral occupations. If the Colonial Secretary were to take a legal opinion on that subject it would clear the way very much.

#### WYNDHAM SHOW-GROUND BILL.

This Bill was received by message from the House of Representatives, and read a first time.

The Hon. the SPEAKER.—It appears to me that the Bill just read a first time is not the Bill which the Council passed on the 15th ultimo and forwarded to the House of Representatives for their concurrence. The Council has received no information whether that Bill has been laid aside or rejected by the House of Representatives, and, consequently, under these circumstances, at this time of the session, I advise the Council that the most orderly course will be to resolve that the Council will not proceed further with the Bill now before it.

The Hon. Major RICHMOND.—I beg to move, according to the ruling of the Hon. the Speaker, That the Council do not proceed further with the Bill.

The Hon. Mr. MANTELL.—Having been asked by an honorable member to take charge of this Bill, I will move, as an amendment, *pro forma*, That the second reading be an Order of the day for Monday next.

Amendment negatived, and original motion agreed to.

The Council adjourned at half-past five o'clock p.m.

#### HOUSE OF REPRESENTATIVES.

Saturday, 1st December, 1877.

First Readings—Third Reading—Motueka and Moutere Railway—Polling Hours—Waste Lands Sale Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

#### PRAYERS.

#### FIRST READINGS.

Financial Arrangements Bill, Nelson Gasworks and Waterworks Sale Bill.

#### THIRD READING.

Foxton Reserves Bill.

#### MOTUEKA AND MOUTERE RAILWAY.

Mr. HURSTHOUSE asked the Government, What action they intend to take with regard to the report of the Public Petitions Committee on the petition of Motueka and Moutere settlers, praying for the construction of a railway?

Mr. SHEEHAN said the report of the Committee was to the effect that the subject-matter of the petition should receive the favourable consideration of the Government. He could not give an assurance that the line would be made, but he would arrange to have a flying survey made, and he would state to the House next session what the Government would do in the matter.

#### POLLING HOURS.

Mr. STEVENS asked the Premier, Whether the Government will, next session, introduce a Bill making the polling at elections of members of the House of Representatives begin at nine o'clock in the morning and close at seven o'clock

in the evening? He was of course aware that the polling now began at nine a.m., but his object was to ascertain whether, in view of a general election, the polling would be so extended as to give to electors employed on work during the whole day an opportunity of voting at elections at the conclusion of the day.

Sir G. GREY said the subject was an important one, and would receive consideration. At present he could only say that it was the intention of the Government to introduce a Bill which would deal with all these questions, and the subject referred to by the honorable gentleman would receive attention.

#### WASTE LANDS SALE BILL.

Sir G. GREY.—Sir, as I understand it is the desire of the House that the second reading of this Bill should be proceeded with, I shall make an explanation in order to correct an error into which the House seems to have fallen. Some honorable gentlemen seem to think that this Bill proposes to make some permanent change in the policy of the country with regard to waste lands. I shall have no objection to make provision in the Bill that the Act shall only last till the next meeting of the General Assembly: in fact, I had intended to do so. It will be in the recollection of the House that part of the policy which the Government disclosed in their Financial Statement was, that a uniform price should be obtained for waste lands throughout the colony; and, that that might be done, a classification of those lands had to be made. We believe that before the next meeting of the General Assembly that classification can be made, and thus uniformity in price, varying with quality, will be obtained. We do not propose that this Bill should remain in operation for more than six or seven months, within which time Parliament will meet again. We may expect to find difficulties in merging the Land Fund into the consolidated revenue. In fact, it became necessary for us to insert some provision in order that we might carry out the policy we have indicated. We imagine that that can be done in an extremely simple and easy manner, by leaving the land laws throughout the colony very nearly in the state they are in at the present moment, and providing that, where the system of free selection exists, the land may be taken up, as at present, at £2 per acre. This Bill will give facilities for immediate settlement on the land, inasmuch as there are small blocks of land throughout New Zealand that it will be worth the while of persons to take up at that price if they desire to do so. In order to make provision for those cases in which such circumstances could not arise, we determined to adopt the plan of recommending to the House to agree to a uniform price of £1 per acre being fixed upon all land offered for sale by public auction throughout those districts of New Zealand in which the auction system prevails. By adopting that plan we shall not in any way stop settlement throughout any part of New Zealand, because we believe that, during the next seven or eight months, those who desire to obtain land will be willing to give £1 per acre for it at public auction. If that

*Mr. Stevens*

is so, they will be able to select small blocks of the best land. There are portions of the colony in which there is a great quantity of bad land, and all those who are well acquainted with the land in those portions of the colony will know that it could not be, for many years to come, worth £1 per acre to any person desirous of purchasing. The reason of that is evident, because the land I speak of will not yield any return until a large amount of capital and a great amount of labour have been spent upon it; whereas, in the case of land taken up, say, in the Province of Canterbury, some yield is immediately returned to the purchaser—in a great part of that province, such is the case: an immediate return may be said to be generally obtained by sheep or cattle being depastured on the land. In a large portion of the North Island there are great tracts of land which are really worth nothing unless capital is expended upon its improvement. There must be money spent upon the land for several years before it gives any return whatever. Under this Bill, the land will be classified, and by that means a uniform price will really prevail: that is, a uniform price will prevail for value received. That classification certainly cannot be accomplished for several months to come. In the Province of Auckland, there has been a classification of the land to a considerable extent in some of the districts; but, on the whole, we thought it better not to make any provision peculiarly applicable to one provincial district, but to permit a certain inconvenience which may be felt by the inhabitants of some portion of New Zealand for a short period of seven or eight months, rather than embarrass a question which is of very great importance and of very large significance to the whole of the colony, by breaking up a general arrangement into details suitable to separate parts of New Zealand. I cannot but believe that this Bill will, upon the whole, commend itself to honorable members. It provides, in a very simple and effectual manner, for a very great difficulty. It provides a way for the establishment of one uniform system of land sales throughout the entire Colony of New Zealand. The various land laws which have been in existence in the country have proved a hindrance to the voluntary and free immigration to New Zealand from other countries. We feel that one common system of land laws in this country will do more to promote the prosperity and settlement of the colony than most honorable gentlemen are aware of. I think every effort made in that direction is worthy of their assistance, and worthy of being gratefully received by the inhabitants of New Zealand as an effort made to promote their welfare. I feel certain, after having given great consideration to the subject, that no simpler means of beginning a system of that kind can be devised than the Bill which I hold in my hand. It is simple in its provisions; it can be understood by all; it can be brought into operation without any difficulty. I am unable to devise any better system to carry out the object which the Government have in view, and which, I believe, the great majority of the inhabitants have in view, at the present moment. I will not weary the House with any

longer speech in explanation of the subject, but will request the House to give an impartial and favourable consideration to the measure. I move the second reading of the Bill.

Mr. REID.—I am not surprised that this Bill should have received great consideration. It is a very short Bill indeed, but to my mind, instead of being a simple measure, it very much confuses. It will tend to confuse one's ideas with regard to the land laws, taking it in connection with the Bill which has been passed through this House, should that Bill become law. If it is necessary to legislate on this subject, I think a much simpler plan would have been to insert clause 4 of this Bill into the Bill which has been already passed by the House, and which could have been done in the other branch of the Legislature. In the first place, this Bill proceeds to altogether undo what we have been doing in the other measure with regard to the designation of land; and in this way it tends to confuse. We have done away with the title of "waste lands" in the Bill which we have passed, and the designation given is "Crown lands;" while this Bill deals with them as "waste lands." If persons at a distance are confused with our existing land laws it certainly will not tend to remove that confusion to have two Bills applicable to the same subject naming the land by different names. The whole substance of this measure is in the 4th section; it contains the whole pith and marrow of the Bill. The evident intention is that all lands that are open for sale otherwise than by auction or deferred payments are to be open for application at the price of 40s. per acre; and the proviso to the 4th section says that "this section shall not apply to waste lands sold or disposed of on deferred or other periodical payments or by agricultural leases." But the 7th section says it shall apply to these lands. It says,—

"No waste lands of any kind which may be sold or disposed of under any Act of the General Assembly, or any regulations or other law authorizing the sale and disposition of such land upon deferred payments, or in any other manner for which money is to be paid, whether by way of rent or other periodical payment, shall be so sold or disposed of at a less upset price than one pound per acre."

The difference between these two provisions only tends to confuse. We know that there are lands which will not sell even at 20s. an acre. In the Province of Otago, for instance, where land is now open for application, and is not saleable at 20s. an acre, it will by this Bill be immediately doubled in price—all that land will be open for application at 40s. an acre. There is a very large extent of land there which is open for sale and which cannot be sold at 20s. an acre: the sales were going on very slowly, but the effect of this provision will be to put a stop altogether to sales of land. Again, this Bill is not by any means clear on this point: The existing law provides that where two persons apply for the same land on the same day it shall be submitted to public auction at the upset price of 20s. per acre. This Bill provides that the land is to be open for application at 40s. per acre; and, if there are two

applicants for the same land on the same day, notwithstanding that the land has been applied for at 40s. it will have to be offered at auction at 20s. per acre. It surely cannot be intended that, where more than one person applies for the same land, it shall be offered at an upset price of 20s. an acre.

Mr. SHARP.—Read the 9th section.

Mr. REID.—I do not understand the meaning of the 9th section. That shows the great study that has been given to this Bill. The 9th section says this:—

"Every Act of the General Assembly, and every regulation or other authority which may be in force at the time of the coming into operation of this Act, is hereby repealed in so far as the same may be inconsistent with the provisions of this Act."

No one can say how far the land laws are inconsistent with the provisions of this Bill. The law at present provides that, when land is open for sale and two applications are lodged on the same day, then the land is submitted at the price at which it is open for application. This Bill goes entirely against that.

Mr. REES.—Not at all.

Mr. REID.—I contend that it does. The mere affirming or contradicting what I say will not affect the argument. The interpretation I put on the Bill is, that land may be applied for and sold at not less than 40s. an acre, but if put up to auction it may be sold at an upset price of not less than 20s. per acre. If that is not so, then the real meaning ought to be expressed. The 4th clause will confuse any person attempting to understand our land laws. It should be divided into clauses. The first should provide that the land should not be offered at less than £2 an acre, and that, if more than one application were received on the same day, the land should be put up to public auction at a price not less than that at which it was open for sale. That would make the matter intelligible. The next clause should provide that no land submitted to public auction should be submitted at a less price than 20s. an acre. That would be intelligible: but at present the clause is unintelligible. Then, I say, the simple and intelligible plan would be to incorporate the 4th section in the Bill which we have passed, and which is now before the other branch of the Legislature, and then the other sections of this Bill would be unnecessary. The 2nd section is unnecessary, because it only provides for the time at which the Act shall come into force. The interpretation clause is sufficiently provided for in the Bill we have already passed. The 4th clause undoubtedly deals with a question of policy, but I think it might very well be incorporated in the other Bill. The 5th section is already provided for in the Bill we have passed, the only difference being that, whereas that Bill provides that the Lands Board only shall have power to increase the upset price of the land, this Bill enables either the Lands Board or the Governor in Council to do so. The provisions in the 6th clause are already passed in the other Bill, and I do not think those in the 7th clause are very necessary.

It seems, as far as I can see, to exempt mineral lands from the operation of the Act, and I rather think they are exempted in the Bill we have already passed. I do not think the non-passing of this section would allow mineral lands to be dealt with under the law at present in force, except under the Mines Bill and the special schedules inserted in the Land Bill in respect to Nelson and Westland. Then, with regard to sections 8 and 9, if the 4th section were incorporated in the other Bill they would be unnecessary. They are merely declaratory that contracts shall be completed, and in that respect, if required at all, I do not think the 8th section goes far enough. I do not approve of the effect which the increase of price of land will have on the part of the country from which I come. Under the Bill which we have passed ample power is given to the Lands Board to put a high price on land which is considered of special value. The system of free selection is not in force all over the province, and the upset price is 20s. per acre where it is in force; but, as I have already said, a great proportion of the land has remained unsold. A great portion is sold on deferred payments, and in some cases is put up for sale by auction. If we are going to raise the price of the whole of the land in that part of the country to 40s. per acre, we shall, in the first place, stop the sales to a large extent, and, in the second place, impose a very high price on the deferred-payment land, for it would at once rise in price to £3 per acre. (No.) I do not see anything in the Bill to prevent it. If the honorable member who says "No" will point out the provision, I shall be very glad, because I do not wish to say anything that is incorrect. The existing law provides that all lands open for sale on deferred payments are to be sold at the ordinary selling price, with half added; and therefore the effect of this Bill will be to raise the price of all that land to £3 per acre. If that were the only evil it might not be so great a hardship; but I think the effect of this Bill will be to diminish the land revenue considerably, and to interfere very materially with that class of settlement for which we have this session been professedly acquiring land. In our part of the country 20s. per acre for the bulk of the land is a fair price. I shall therefore oppose this proposal to increase the price of the land, for no good can result from it. I believe it would be far better to have the appendices which we have passed in the Lands Bill, after considerable thought and discussion and at the earnest request of the people of the different districts. In most cases people believe that the price we have already fixed is the highest price at which land can be profitably taken up. If the land were likely to be taken up by speculators I would willingly fix any price that would prevent such a thing; but under the Bill we have passed we have given ample power not only to the Lands Boards to increase the price of land, but to the Governor in Council to set aside special land which shall not be disposed of at the ordinary price. That being so, I do not wish to see this Bill applied to Otago, because it is

Mr. Reid

an arbitrary step towards doubling the price of the land without any adequate result but to stop sales and to bring the finances of the country into a state of confusion, because the land revenue accruing in many of the provincial districts cannot meet all the charges on it under the law in force. In past years nearly every provincial district has been short of funds from land revenue to meet its fixed permanent engagements; and if we are to double the price—and in many cases it would be increasing it four times, for in many places the land is sold at 10s. per acre on free selection—if, I say, we are going to double the price of land, we shall absolutely stop the sales, and the effect will be very considerable upon the financial arrangements of the country. If, however, the Government are prepared to carry on under this arrangement with borrowed money—if, for instance, the charges for interest on the provincial districts are to be placed on the consolidated revenue or met out of loan—that would, of course, remove the objection in that direction for the present, but it will, I think, do a great deal of damage to the country with the outside creditors. We have founded our expenditure on the estimates of the land revenue for the year, and if we fix this high price we shall certainly reduce the actual receipts and throw our financial arrangements into confusion. I think we should take more time to consider this matter, and I therefore move, That the debate be adjourned.

Mr. MACANDREW.—The best proof we could have that this Bill meets the necessities of the case is the very moderate speech of the honorable member for Taieri. This is a subject which is open to a large amount of criticism, and there is perhaps no other honorable member of the House who could criticize it more largely or more keenly than the honorable gentleman, who may be regarded in many respects as being the greatest expert in the House on the land question. Altogether apart from and irrespective of the proposed colonialization of the Land Fund, it has to my mind been long apparent that it is absolutely necessary that we should have one uniform land law for the colony. That is not, with me, an opinion of a day or got up for the occasion; I have expressed it in this House years before the circumstances which have given rise to this measure arose. It has always seemed to me exceedingly absurd that we should have in New Zealand ten different sets of land regulations each one differing from the others. One of the most difficult problems that a stranger could be called upon to solve would be to find out the conditions on which land can be acquired in New Zealand for settlement. That has often struck me, and I quite agree with my honorable colleague the Premier as to the injurious effect it has had on the settlement of the country and on the number of immigrants that have been induced to come here. And if a uniform land law was necessary at the time when the land revenue was provincial I think it is infinitely more necessary now—in fact, it is absolutely essential—when the land revenue has become *de facto* colonial revenue. That is a self-evident proposition, and I think it

is very unfair and unreasonable that the colony should dispose of an article, in Hawke's Bay, for example, for 5s., and charge £5 for an exactly similar article in Wellington because it is across a river. That has appeared to me the essence of absurdity. I think nothing could have been more injurious to the welfare of the country for years past than the absence of a measure in the direction, at all events, of that to which we now ask the House to assent. I am satisfied it has been at the root of a great deal of the political mess into which the country has now got. I attribute much of that to the diversity of land legislation—to these ten different systems. I may say, further, as a Southern member, that nothing would tend more to reconcile me to the spoliation which Abolition has brought about than this proposal to have one uniform price for land throughout the colony. I think this measure will to a great extent mitigate the evils that have been brought upon us in the South by this Abolition policy. It is, to some extent, a mere question of time. If we have a uniform price for land throughout the colony this colonialization of the Land Fund will ultimately become as broad as it is long. I do not believe that settlement will be at all prejudiced by passing this measure. It is but temporary, and can only be in force for a very few months, and in the meantime I do not think that any man who requires land for *bona fide* settlement will be deterred from purchasing if he has to pay £1 an acre for it—a few shillings an acre here or there will not stand in his way. I have been told by some friends of mine from Otago who have been in the North lately that they have purchased 17,000 acres at £2 an acre which was originally purchased from the Government at 5s. an acre. I hope the House will agree to adopt this proposal. The Bill could not possibly be more simple than it is, and I believe it will be found that the public estate will be very much conserved under it. I see no necessity for postponing the discussion till next week. The measure is intelligible and comprehensible, and should not require much discussion.

Mr. TRAVERS.—I cannot quite agree with what has fallen from the honorable gentleman with regard to the intelligibility of this measure. I have read it with an anxious desire to ascertain its meaning, and I must say I fail altogether to appreciate it. Divesting section 4 of such language as is unnecessary for its structure, such as, "until further provision is made for the classification of waste lands by the General Assembly"—unless these words are to give a hint to the public with regard to the matter—the section seems to me to mean that all waste land shall be sold at £2 an acre if there be free selection, and at £1 an acre if sold by auction. That, I apprehend, is the meaning of the clause. That is to say, that the laws in force are the laws which are still to regulate the sale of waste lands, except as to price. But then the section goes on by a proviso to say that "this section shall not apply to waste lands sold or disposed of on deferred payments." The laws relating to lands not sold on deferred payments are to remain in force, but this sec-

tion is not to apply in the case of lands to be sold on deferred payments. The 7th section then says,—

"No waste lands of any kind which may be sold or disposed of under any Act of the General Assembly, or any regulations or other law authorizing the sale and disposition of such land upon deferred payments, or in any other manner for which money is to be paid, whether by way of rent or other periodical payment, shall be so sold or disposed of at a less upset price than one pound per acre."

If the laws themselves are declared not to be in force I do not understand what the meaning of this is. It seems to me that there is great inconsistency.

Mr. STOUT.—No.

Mr. TRAVERS.—Well, I will put it thus: After the coming into operation of this Act all waste lands are to be sold in accordance with the law in force in the several land districts where such lands are situated. That is the positive statement—that for the future the existing laws are to regulate the sale of waste land; but then it is provided by a proviso that that shall not apply to the land sold on deferred payments. Then, what is the law to regulate the sale of land on deferred payments?

Mr. STOUT.—The present law.

Mr. TRAVERS.—The present law regulates the sale of waste lands, and the Bill says that they are to be sold in accordance with the law in force; but lands sold on deferred payments are expressly exempted from the operation of the law.

Mr. STOUT.—No.

Mr. TRAVERS.—Then I fail to understand under what law they are. We must read it thus: "From and after the passing of this Act all waste lands, except lands which are to be disposed of on deferred payments, are to be sold under the law now in force." Then I do not understand under what law the deferred-payment lands are to be sold. The thing is absolutely unintelligible. Nor does the 7th section help us in the slightest degree, because it says that no waste lands which may be disposed of under any Act or regulations authorizing the sale of such land upon deferred payments shall be sold at a less price than £1 an acre. However, if the honorable gentlemen are satisfied with their Bill, I must be satisfied; but I submit that those who read the Bill by the light of Lindley Murray must come to the conclusion that there are glaring inconsistencies in it. Moreover, there is this further inconsistency in the 9th clause, which says that "every Act of the General Assembly, and every regulation or other authority which may be in force at the time of the coming into operation of this Act, is hereby repealed." They are repealed already by the 4th section, which applies exclusively to the question of price. There was no necessity for the 9th section, inasmuch as all the laws are to be retained except those which relate to price. But Sir, this Bill, while it has a very innocent appearance taken in connection with the speech of the Premier, is in reality a much more serious measure than at first sight it would appear to be. It

foreshadows a very important alteration of the law, and one which may affect existing interests to the extent of hundreds of thousands of pounds. We have been told that it is the intention of the Government to introduce a Bill next session to provide for the sale of all waste lands by auction at a uniform upset price of £1 an acre.

Mr. REES.—No.

Mr. TRAVERS.—I distinctly understood that the upset price of rural land throughout the colony was to be £1 an acre.

Mr. MACANDREW.—You are wrong.

Mr. TRAVERS.—I distinctly understood that it was the intention of the Government, as announced by the Premier, to make provision for the sale of what are ordinarily called rural lands at a uniform upset price of £1 an acre, and I was struck more especially with that proposal when I thought of the large purchases which have been made in Canterbury during the last seven or eight months. People there have been buying hundreds of thousands of acres at £2 an acre, and if the upset price be lowered to £1 an acre the immediate effect will be to diminish the value of those properties to the extent of the difference between £2 and £1 per acre. I know a great many honorable gentlemen are under the impression that the auction system, as regards Crown lands, is one which enables the best price to be obtained; but I think the experience of the provinces in which that system has been carried out must satisfy us that it has failed entirely. Except in some peculiar instances, scarcely anything is ever obtained at auction beyond the actual upset price. Honorable members may say, "Oh, oh," but if they will take the trouble to examine the records of the land sales in the Provincial Districts of Wellington and Nelson they will find that, excepting in few instances, land sold at auction by the Crown does not realize one single farthing beyond the actual upset price. There are at this moment in the Provincial District of Wellington thousands of acres of land open for selection which have been put up to auction and have been withdrawn at the upset price of 7s. 6d. an acre, and have never yet found a purchaser. It is open to any one to go down to the Land Office now and take it up. The whole system of auction has proved entirely fallacious as a means of acquiring revenue, and it is injurious to the best interests of the settler. In the first place, survey is a necessary preliminary to auction, and people are obliged to purchase that which is laid out instead of that which they require. The land is cut up into small sections, and the man who wishes to acquire 5,000 acres in a block is opposed to the competition of persons who, having no desire to purchase themselves, make use of the opportunity to extort money. There are Acts on the Statute Book of the colony to prevent that class of extortion. I know an owner of property down South who had to pay from £2,000 to £3,000 to persons in order to buy off their opposition to the purchase of that property. There is another glaring instance in which a gentleman had to pay £7,000 or £8,000 in order to buy off opposition to his acquisition of some land which had been put up to auction. What profit

Mr. Travers

was there to the State there? The land all passed into the hands of that gentleman at the upset price. It is a common thing to make things "square" by buying off opposition in this way. That may suit a man with plenty of capital at his command; but what is the position of the small settler, the man who desires to purchase 50 or 100 acres, and goes out searching amongst the waste lands of the Crown in order to obtain a suitable piece of land? It is well known that in Sydney, where the auction system is in force, the last farthing has been extracted from men in order to buy off opposition. After hunting for months to find a suitable piece of land they have found themselves opposed by persons who had no desire to become the occupants of it, but who bought it with the object of afterwards selling it to the less wealthy small man at an advance on credit. There is nothing more utterly calculated to injure the interests of settlement than the auction system. That has been well recognized in every district in which it has been in operation.

Mr. J. C. BROWN.—No.

Mr. TRAVERS.—The honorable gentleman speaks of the matter by the light of the narrow knowledge which he possesses in regard to Otago. Let him go into the Amuri District of the Province of Nelson, in which the whole of the land was sold by auction, and let him tell me what the result has been there. Let him tell me what has been the result of the contest there between the man of capital and the settler. No settler can get into that district. It is not open to the settler. It is open only to the sheep-farmer, who will hold possession of the whole of that district until population becomes sufficiently large to satisfy him that it will be of advantage to dispose of his estate. Let him go through this province. Will he tell me that in these provinces the system of sale by auction has been advantageous to settlement? Not at all. Settlement is always opposed to competition by capitalists. I have seen men with capital at their back competing for every section at the auction sales in Wellington; and what is the consequence? The highest possible price has been afterwards extracted from the pocket of the *bona fide* settler, because he has had to compete with capitalists, and the waste land sales have been swelled at the expense of the men who wished to settle on the land. The money which ought to have been devoted to the improvement of the land, and to stocking it, has passed, through competition, into the hands of the Government, and that simply because men of large capital were able to force the intending settler to purchase it at a price which he has never contemplated. In other cases, the whole thing is arranged: two men point out to each other the sections they wish to buy, and arrange that they will not bid against each other. There the State loses. Those who have watched the operation of the system must be satisfied that sale by auction is nothing more than a delusion and a snare—a delusion as regards the creation of revenue, and a trap as regards the intending purchaser. It is mischievous in every sense of the word. Now, Sir, what has been the result of the land sales in Canterbury? I say that in no pro-

vince in the colony has settlement established itself on a safer or better basis, or with greater advantage to the country, than in the Province of Canterbury. In Canterbury a man selects the quantity of land he wants and pays for it, and takes possession immediately afterwards. That is a system which a wiser man than myself, the late Mr. Gibbon Wakefield, advocated strongly as being the only legitimate system of dealing with the land of the colony. Those who study the writings of Mr. Wakefield on the subject, and the instances given by him of the effect of selling land by auction, will come to the conclusion that there is no more satisfactory mode of dealing with the land than that of giving power to the intending settler to select his land where he likes, pay his money, and go away with his title in his pocket. That is the system under which the Province of Canterbury has progressed as it has done. I will say here that if Otago had not possessed rich gold fields it would at this moment have been comparatively a desert. If it had not possessed those gold fields the system of selling the land by auction which prevails there would before this have placed it in the same position as this province was at one time, and as Nelson is at this time. The land would all have been in the hands of runholders, precisely as the lands of Marlborough and Nelson are now. Therefore Otago may attribute its prosperity to the fact that it possesses gold fields and other mineral resources, and not to its land laws. This system of land laws has been used simply because the area of land available for cultivation is comparatively small, an enormous extent of land in the province being unfit for cultivation. But Canterbury, with its one interest—its agricultural and pastoral interest—has managed to raise itself to a height of prosperity which is unexampled amongst the provinces of New Zealand. I attribute the progress of that province to the excellence of its land laws. In that province a man is not put to the trouble of making his selection and then having to run the risk of having his land taken away from him by persons who have large sums of money at their command.

An Hon. MEMBER.—This Bill proposes to alter that state of things.

Mr. TRAVERS.—It does not appear to me that this Bill proposes to alter it, except for a short time. The Premier, in introducing the Bill, stated distinctly that it was only intended to be a temporary measure, pending the establishment of a uniform system of dealing with the lands throughout the colony. As regards this Bill, I look upon it as being absolutely unnecessary except for the purpose of raising the price of land. I think that, if it is not the intention of the Government to adopt the Land Bill which has been passed through this House, it will be better to leave matters as they are at present until the next meeting of the Assembly. If they do otherwise they will simply be disturbing the present system of dealing with the waste lands for a limited period, and introducing additional confusion into the laws relating to the administration of waste lands, which

are already sufficiently confused. Many years ago I moved for a return showing the land laws in existence in this colony, and that return was placed on the table of this House. It certainly showed the marvellous complexity and absurdity of our land laws. If we are to have uniform land laws, let us have the best system of uniformity we can get; let us have a system which will allow the waste lands of the colony to be taken up for the purposes of settlement in the wisest manner: but do not let us adopt a system which all writers on the subject and all experience have shown to be a delusion and a snare—a delusion as it affects the revenue, and a snare as it affects the intending settler in making his selection. If we consulted the actual purchasers all over the colony we should find that they one and all condemn the system of selling land by auction. It is nothing but the ordinary desire on the part of a Government to derive the largest possible amount of revenue from every source they may have at their command which would induce them to adopt anything so repugnant to political economy as the system of selling land by auction. I trust that this Bill will not pass into law, for it appears to me to be entirely unnecessary; and, as regards the drafting of it, I may say that it is about as confused a measure as it is possible to read.

Mr. STOUT.—Sir, the honorable gentleman who has just sat down seems to have talked on all sides. He wound up by strongly urging the necessity for having one uniform system of dealing with our waste lands, while all through his speech he was talking about the ill effects of having a uniform system. He said that land sold at auction does not realize more than the actual upset price, and less than five minutes afterwards he told us that the poor man was compelled to pay too much for his land, owing to the competition he had to contend against. Then he said that some members looked at the matter from a narrow Otago point of view, and he himself proceeded to consider it from a broad Amuri point of view. Why, Sir, if we take Amuri and Wellington together they are not equal to Otago. The honorable gentleman has said that the system of free selection is in existence in Canterbury, and that it is in consequence of that the province has progressed so rapidly. But the honorable gentleman shows that he knows very little about the Otago land laws. He does not know that the same system has been in existence in part of Otago for some years past. The honorable member for the Taieri has strongly urged the Government to pass the Land Bill in its present shape, and asked them, if they wished to make provisions to meet their financial arrangements as sketched out in the Financial Statement, to bring down a separate Bill for the purpose. But now, when the Government have adopted his suggestion, he objects to their action.

Mr. REID.—I may explain that what I did say was, that it would take many months to classify the land, and that after that was done the Government should bring down their Bill.

Mr. STOUT.—At any rate, the honorable gentleman wished to have two separate Bills. I



say that if the Government had come down yesterday and asked that the Land Bill should be recommended in order that they might embody in it the proposals they now make, the honorable gentleman would have opposed them most strongly.

Mr. REID.—I am opposed to the principle of this Bill.

Mr. STOUT.—Yes, and independently of the principle altogether. The honorable gentleman says to himself, "The Land Fund will not be made colonial revenue if this Bill is not passed, and if it is rejected the Land Fund will be saved." Before considering the provisions of the Bill itself I shall make one remark with reference to what fell from the honorable member for Wellington City (Mr. Travers) respecting the gold fields of Otago. I say that before the diggings were opened Otago received a greater number of immigrants every year than Canterbury did, and moreover it had about £35,000 in its provincial chest, while within a very short time after the gold fields were opened it was half a million in debt. I do not think, therefore, that Otago owes too much to its diggings. Now I will deal with the Bill itself. I do not believe that the honorable member for Wellington City has considered the Bill properly. It is merely a measure to regulate the price of land. Section 4, which fixes the price of waste lands, is not to refer to lands sold on deferred payments. The honorable gentleman asks, "If this section does not refer to lands sold on deferred payment, what does refer to them?" Why, surely the existing law does. I know that the honorable gentleman exhibits a considerable amount of acuteness and sagacity in interpreting an Act of Parliament, and I cannot see why he should not understand this. Suppose the Government had put these words in the Bill: "Provided always that nothing in this section shall refer to waste lands in the Province of Wellington." If those words had been put in the Bill, would there be no waste lands in the Province of Wellington for sale, and would that province possess no land regulations? I hope the honorable gentleman will admit that he has made a mistake in that respect. Now, the reason for exempting deferred-payment land is simply this: that the method of selection provided for in the Act is quite different. Section 4 deals with two classes of land. It deals with the system of free selection, and says that all free selection shall be at £2 per acre. That was the system in Canterbury; and the honorable member for Wellington City (Mr. Travers), who opposes this Bill, says that it is the only system which political economists recognize. Because this Bill contains that system the honorable gentleman will vote against it. Then as to the system of selling the land by public auction at £1 an acre. I understand now that land is some special property—that it is different from other kinds of property. I am glad to hear that view put forth. That is what I have been ringing the changes on for years. It requires different laws both as to holding and disposal. The honorable member comes over to my views and says land is different from other property. It can be differently dealt with under different regulations for its holding

Mr. Stout

and disposal. I agree with him. If there is to be free trade in land—and all our Land Bills admit that—then you cannot object to the auction system. The auction system is this: that the land is worth what it is supposed to fetch. If we are to have restrictions, and if land is not to be considered as ordinary property, we shall have to alter the whole of the land laws, and introduce a new system of dealing with land. There has been a good deal of nonsense talked about the auction system. If the land is good, it can, I believe, be selected at £2 per acre in Southland, Canterbury, Otago, or anywhere else; if it is not good land, the Waste Lands Boards will put it up in blocks for sale, when it will fetch what it is worth, and every one in the community will have a right to bid for it. People will be enabled to purchase if they choose. All the land suitable for settlement in Otago is put up under the auction system. It is put up as what is called "special value" land. The land sold on deferred payment is sold as small holdings. The honorable member for the Taieri always advocated that these lands should be sold by public auction. I really cannot see what objection there can be to the auction system. It seems to me that those who are opposing this Bill are doing so simply to get rid of the scheme for making the Land Fund colonial property. The argument that was continually urged was this: that you cannot colonialize the Land Fund, because you do not make the people in Auckland, Napier, and Wellington pay the same price for the land. We had elaborate tables and statistics got up to show how unfair it would be. And those honorable gentlemen now oppose the Waste Lands Sale Bill. "It will not do," say they, "to make a stand against the proposal for making the Land Fund colonial revenue, and we will take our objection on a side-issue; we will take it on the issue of raising the price of land." Now, the only persons who have no right to object to this Bill are the Canterbury people, because the Canterbury land law is left intact. There is no alteration made with regard to Canterbury. They are supposed to have the best land system in New Zealand, and their system is left intact. The Southland system is also practically left intact. In Wellington, Napier, and Taranaki no difference is made. Marlborough, Nelson, and Auckland are the only three provincial districts really affected by this Bill. If the land is worth anything at all, people can afford to give £1 an acre for it; otherwise, let the people settle on the rich land first, and let the poor land be settled afterwards. If they want good land they can soon find it out. I believe that if the land in the Thames were opened up there is not an acre that would not sell for £1 an acre to-morrow. All the land in the Piako District and neighbourhood would sell for more than that price. How does the Government propose to deal with the land in Patea District? The land there was sold at auction, and some of it went up to £5 an acre. The land was sold at from £2 to £5 an acre, and, as an honorable member says, some of it fetched £13 an acre at auction. Do honorable members say that the land in Patea was not

bought for speculative purposes? Those speculators who buy land and have to pay a high price for it cannot afford to feed sheep on it. I believe settlement is going on rapidly in that district. Small holdings are used for cattle-breeding, and they are not bought up by speculators. Speculators will not buy the land at a high price and let it lie useless in the hope that it will increase in value. The land revenue is, properly speaking, not our revenue at all; it is our capital, and it is the duty of the State to see that that capital is conserved. The State has a right to get a proper price for its land, and I think that is the object of this Bill. Those who do not desire to see any colonial Land Fund may throw out this Bill, and they should also have thrown out the other Land Bill which has been passed by this House.

Mr. GISBORNE.—I look upon this Bill as a measure to carry out what its title indicates—"An Act to make provision for regulating the Price of Waste Lands of the Crown in New Zealand." It is proposed to have a uniform land system enacted next session. In the meantime this Bill is considered necessary in consequence of the financial policy of the Government being one to appropriate to the colony 80 per cent. of the Land Fund, as it would be unfair that the Fund should contribute 80 per cent. while in some provinces the land is sold at £2 an acre and in other provinces at 5s. or 10s. an acre. In future all lands disposed of, except on deferred or other periodical payments or by agricultural leases, is to be sold at not less than £2 an acre by free selection, and, if disposed of by public auction, the land is to be sold at an upset price of not less than £1. I believe this contains, in plain language, the pith and essence of the 4th and 7th sections of the Bill. Then comes a proviso to the 7th section, that—

"Nothing herein contained shall be deemed to interfere with the *bona fide* letting or other disposal of any mineral, agricultural, or other lands under any such Act, regulations, or law under which the lessee or licensee is not to become the ultimate owner of the land in fee, nor with any laws or regulations for the time being in force upon any gold field authorizing the lease or disposal of Crown lands in such gold field."

I believe that is simply the whole substance of this Bill. If that be the correct view of this Bill I do not see why there should be an adjournment, nor do I see why the Bill should be rejected. It is a step in the direction of the attainment of a uniform land law for New Zealand; it is also a step in the direction of carrying into effect the financial policy of the Government. I am not now going into the question of whether there should be a uniform land law in New Zealand; I shall wait until I see the promised Bill brought down next session. I must say, however, that, as at present advised, and after some consideration of the subject, I think, owing to the circumstances of the different settlements in New Zealand being so various, varying systems of disposal of the waste lands in the different settlements will be necessary for some years, so as to suit the progress of settlement in each district. The object of land laws is to promote the

settlement of the country, and if you show me regulations that will promote settlement in different parts of New Zealand I will support their adoption however different they may be from each other.

Mr. SUTTON.—I understand it is the intention of the Government to bring in a Bill next session to put the land laws on a substantial basis—to assimilate them so that there shall be one uniform law and one uniform price for land. If that be so there is no necessity whatever for this Bill. This Bill and the Land Bill we have already passed in this House might very well be left in abeyance until next year, when the measure promised can be brought in. I may say that I am not at all favourable to a uniform land law, or to there being a uniform price for land in this colony. I cannot understand how any one can advocate uniformity in price. There is a great difference in the quality of the land, and no classification can put the land up to anything like a fair value. The effect of this Bill will be simply this: While the Government have brought in a Bill to make the Land Fund colonial revenue, this Bill will absolutely prevent there being any Land Fund in the North Island. If this Bill is passed there will not be a single acre of land sold, I believe, in the Provinces of Wellington and Hawke's Bay while the law exists. A return has been prepared under the direction of the Government, and is now on the table; it is signed by the Surveyor-General of the colony. From it I find that in the Hawke's Bay District there are 122,000 acres of land, and the supposed value of that land on the 31st of August last was 8s. 9½d. an acre. There is also a large quantity offered at 5s. an acre; and the average value of the land may be taken at 7s. 3d. That shows the value of the land the Government has still on hand. I might say that very nearly the whole, if not the whole, has been open, and is now open, at 10s. an acre, and is not selling freely at that price. But if we pass this Bill we shall be putting the value of that land at £2 an acre. I understand the Premier to say that his policy will tend to advance the settlement of the country; but I say that it will retard settlement, and enhance the value of property at present in the hands of owners in the North Island. There are many holders of property in this Island who, if this Bill passes, will become twice as rich as they are now. There are very many large estates, to my knowledge, on which considerable sums of money have been expended and great improvements made, which, if placed in the market, could be bought at the price at which it is proposed in this Bill to sell unimproved Crown lands. I say that 40s. an acre for any land that I am aware of in the part of the country from which I come is out of all reason, and can only lead to retarding settlement and enhancing the value of properties already purchased. It seems to me that the Colonial Treasurer will find, if this Bill passes, that he will have to provide for a much larger deficiency than would otherwise be the case. The charges in the North Island which have to be borne on the land revenue amount to about £650,000, and

if that Land Fund does not meet them, as will be the case if this Bill passes, they will have to be met out of the consolidated revenue. If we lock up the land, as this Bill undoubtedly proposes to do, we cannot get a revenue from it. It is a very serious matter to place such a price upon the land as to prohibit people buying it. I hope the proposal of the honorable member for the Taieri to postpone the discussion will be agreed to.

Major ATKINSON. — Speaking only to the question of the adjournment of the debate, I hope the Government will agree to it at once, and let us go on with the other business. My reason is this: As I understand it, this Bill is introduced with the object of giving effect to the financial proposals of the Government. If that be so, we want to know what are the financial proposals of the Government, in order to see how this Bill will affect them. We cannot know that until we get the Financial Arrangements Bill before us, and a statement from the Government as to how they are going to balance the accounts, and how this Bill will assist them in their policy. When we have got that, I have no doubt, if they show us that this Bill will do that, and they desire it, we shall pass it without further discussion. But, as far as I am able to judge, looking at the Bill with the knowledge I have of the accounts of the colony, it will have the opposite effect. That being so, it appears to me desirable that we should postpone the discussion in order to have the necessary explanation from the Government. As far as I understand it, the Bill proposes to temporarily interfere with the price of land. It is not proposed that this should be a measure of any permanence, but that it should be in force for some seven, eight, or nine months, at the outside. It is clear, therefore, that a Government desiring an equal land law for the whole colony would not introduce such a temporary measure as this, which would further confuse the already confused laws relating to land, excepting to meet a temporary necessity. The matter, therefore, being one of finance, I am quite certain the whole of the policy Bills of the Government will be expedited if the honorable gentleman will agree to the postponement of the Bill until after the Government have brought down their Financial Arrangements Bill, and given us a clear statement as to how they propose to provide for the deficit, and how this Bill will aid them. They will then find that the Opposition have every desire to give their assistance, and to aid them in making up that deficit, so as to enable them to carry out their policy.

Mr. KELLY. — I do not intend to oppose the second reading of this Bill, but I hope some amendments will be made in it in Committee. A doubt arises in my mind as to what is meant by the 4th clause. I do not think the provisions of that clause are very clear. It appears to me that under it, when lands have been once offered at auction at the upset price fixed by the Waste Lands Board and not sold, then those lands cannot be sold at a price less than £2 per acre. I shall, in Committee, move an amendment altering that provision; and I shall now give my reason for

*Mr. Sutton*

doing so. The prices of land in Taranaki are fixed by the Waste Lands Board, and vary from £1 to £3 per acre. These lands are always surveyed before sale, and roads to them are laid off, and a time fixed for their being put up to auction. Then, after the auction, the land not sold is open for selection at the price fixed by the Board, whether it be £1, £2, or £3 per acre. I fancy that under this clause that would be altogether changed, and the effect upon the land laws of Taranaki would be to stop settlement. I would not object to stopping the sale of land at a low price, but I do object to stopping the settlement of lands; and if that is the meaning of the 4th clause I shall move an amendment to it which will allow all sales to take place by way of selection at the prices fixed by the Waste Lands Board, after the land has been offered at auction. It has been said that this measure is only of a temporary character. I think it is very much to be regretted that we should pass temporary measures in this House. Last year a similar temporary provision was made to raise the price of land throughout the colony by 25 per cent. The effect of that was at once to stop all sales in Taranaki, and for six months no sales took place, in consequence of a temporary provision which, after all, was not carried into effect. I think any law passed by this Legislature should be of a permanent character, and not be in force merely from year to year. With regard to the other provisions of the Bill, clause 6 seems to me to be altogether surplusage. It says, "No town land, village land, or suburban land shall be sold at a less price than three pounds per acre." We have already provided in our Land Bill that the price of town lands shall be not less than £30 per acre, and of suburban land not less than £3 per acre. What, then, is the meaning of this? If the Bill which has already passed this House is to become law this provision ought to be struck out, for, if this Bill is to be operative, then under it town land may be sold at £3 per acre, notwithstanding the provision already made that it is to be sold at £30 per acre. I have not had time to consider the other provisions of the Bill, which are rather complicated; but it appears to me that clause 4 will require amending if the present system of settling land in Taranaki is to continue, and I think it would be a great pity to stop it.

Mr. MANDERS. — I should like to say a few words in reference to this Bill, because last year I gave no uncertain note with regard to our land policy. If this is to be one colony, and we are not to meet here as members from different Provincial Councils, I think it is necessary to have one fund and one system under which all our lands shall be ruled. I supported the honorable member for the Waikato (Mr. Whitaker) when he moved his resolutions on this subject, and I walked into the lobby with him on the question that the Land Fund should be general and colonial. I think I am rather in advance of the ideas of the present Government, because I think that their reservation of 20 per cent. of the Land Fund to the districts is merely playing with the matter. I think the whole of the Land Fund should be colonial property. It may be a very unpalatable

idea to some honorable members, but I say that, if we are to be one colony and not to aspire to what has been called by the honorable member for Port Chalmers a federation, it is necessary that we should have one fund and one general land system. Although I voted with honorable members from Canterbury on the question of their land leases as a fair compromise to the holders and as a point of honor between themselves and other members of this House, still I think the whole of the Land Fund of the colony should be appropriated and put into the Consolidated Fund, and that we should deal with the County Councils and municipal bodies on equitable terms. I am speaking as a land reformer, as one of those who have addressed themselves with great earnestness to this subject. In South Australia, long before the gold fields of Victoria were discovered, I took no mean part in discussing this subject. In Victoria and in New South Wales I had always taken an active part in the question; and I have always held, and still hold, that each colony should have one colonial purse and one colonial system of laws, and that the local bodies—whether they be County Councils or Municipal Corporations—should receive contributions out of the general fund. Is that what this 20 per cent. means? Is it to be secured under the Government proposals to the County Councils in perpetuity? If that is to be the law, it does not seem to me to be very clearly defined. I would rather see this 20 per cent. come out of the Consolidated Fund, and I would support a motion to that effect at once if it were brought down. If the money went into one common purse, and the 20 per cent. were paid out of it, it would greatly simplify accounts. I feel, in the interests of my constituents, that that would be the best plan, and I am sure it would be to the interests of the Canterbury constituents also. I am sure there is not a more zealous guardian of the Land Fund than the honorable member for the Taieri, and I trust he will see, what he does not see now, that such a simplification as I advocate would be advantageous to the colony. Let us have one colonial fund and one system of classifying the lands. That is the great point I aim at. No doubt there is a great deal to be said about the system of classification. The Minister for Lands and the Surveyor-General, Mr. Thomson, have both before now given attention to this matter, which shows that it is a matter of some importance. Honorable members from the different provinces are aware that there are certain lands which should be selected and reserved for the future. There seems to be a desire to rush some of the good lands into the market, but we should take steps to prevent the good land, the eyes of the country, from being picked out, and I believe the system proposed by the Government will insure that the land shall be classified and disposed of on fair terms. I shall not touch upon the points raised by the honorable member for Egmont, but it must be patent to honorable members that the selling of the land, a matter so closely affecting the colonization of the colony, must be a colonial question. It is a subject which affects us all. It is not a party matter, and in this matter I am

not acting with my party. I shall vote with the Government, and I do so because I regard this question as one vitally affecting the progress of the country.

Mr. DE LAUTOUR.—I quite agree with the doctrine which I believe the Opposition have agreed to, that the question of dealing with the Land Fund should be an open question. I agree with them in that view, because the fate of the Bill before us will determine the second Bill, and, if the representatives of the smaller provinces do not see their way to meet us in the sacrifice we are making in the South, I and others will hold ourselves free to act as we think fit with regard to the colonialization of the Land Fund. I shall not say any more about that at present. I rose principally to suggest that we should now adjourn till half-past seven, in order that members should have an opportunity to consider the Financial Arrangements Bill.

Mr. McLEAN.—I have no doubt, now that the Government have heard the opinions of honorable members on this side of the House, that they will readily consent to the adjournment. I speak with no unkindly feeling towards the Bill, because I may, after consideration, support it; but I should like to have time to consider the Financial Arrangements Bill in connection with it. I should like to see how they fit in. This is a Bill which goes in accord with my own ideas, if it is practicable; but I am afraid it is not practicable. If those honorable gentlemen say they can make bricks from straw, then let the Bill pass; but I venture to say that they will find themselves landed in a difficulty which they little expect. As I read the Bill, it affects Otago in this way: that all lands, after being declared into hundreds, will be open for selection, and the price is to be raised from £1 to £2 an acre. I believe I am right in that. If there are two applicants the land is to be put up to auction, and knocked down to the highest bidder; but the competition is not confined to the two applicants—any outside person can come in and compete with them. Then, the whole thing can be defeated in this way: Two men may enter into collusion and make simultaneous application for a piece of land. It is put up to auction at the upset price of £1 an acre; one will withdraw from the competition, and the other gets the land at the upset price. If I read the Bill aright, it can be defeated in that way; but I hope the Government will consent to the adjournment in order that honorable members may consider this Bill and the Financial Arrangements Bill together. Before I sit down I should like to remark upon one or two statements made by the Minister for Lands. The honorable gentleman said this was the spoliation policy which Abolition had brought about. I should like to know what Abolition had to do with it. A great many things have been attributed to Abolition, but I fail to see the connection in this case. It was the action of the honorable gentleman himself since he got on those benches, and of that long-suffering gentleman the honorable member for Port Chalmers, who, by his votes, kept them in power, that brought about this spoliation. Had the honorable member for

Port Chalmers stood against it, the colonialization of the Land Fund could not have been carried. But after Abolition took place there was £300,000 divided between the counties and road districts of Canterbury; and was there not £400,000 on hand for the purpose of division? Yet it is said, while they were to receive this money, that it was Abolition that took their Land Fund. If the arrangement had been left alone, and the proceeds of the land sales had been allowed to come in by ordinary course, the amount of money to be divided between the County Councils and Road Boards of Otago would have shown most decidedly that Abolition did not take away their Land Fund. It was rather the reverse. It settled the Land Fund upon them. Good faith would have been kept by this House; and if it had not been for the action of our own members, if the Minister for Lands had been true to his pledges, we should not be brought to such a state of things as we are in now. When a resolution to colonialize the Land Fund was brought down before the late Government went out of office, they made it a Government question and staked their existence upon it, and the great majority of those who voted for Abolition had no idea that the Land Fund would be colonialized. I am quite sure that if the proposal had not been made by the Provincial party themselves it would not have been assented to by this House. A number of the North Island members have always looked upon the Land Fund with jealous eyes, and they were perfectly justified in taking it when it was offered to them by that party: in fact, they would have been very stupid if they had refused it. Therefore I cannot blame them for supporting the proposal now. The honorable gentleman has told us that he had heard of land in the Waikato District being sold for £2 an acre when it had only cost 5s. an acre. The honorable gentleman might have gone even further, and said that he had heard of land being sold for £5 or £6 an acre which had been got for nothing at all. It is a well-known fact that some years ago land in the Waikato District was actually given to people to induce them to settle there, and I consider it was good policy to give the land away at that time. It is owing to the fact that people could then get land at the Waikato cheaply that there is such a large population now settled in the district. The country is benefited by the existence of so large a population there, for, while there are so many people in the district, the chances of a Native outbreak are very remote. Therefore I do not grudge the settlers the amount which they receive for their land. I hope that, as the Government have now ascertained the opinion of the House, they will see their way to adjourn the debate until Monday. For my own part, I am in favour of a gradual increase in the price of land.

Mr. REES.—There seems to be a slight misapprehension on the part of honorable members with regard to the meaning of this Bill. I cannot think that the honorable member for the Taieri understands the meaning of the 4th section when he supposes that waste lands will be put up at auction at an upset price of £1 per acre.

Mr. McLean

The clause only says that that shall be the minimum upset price, and, as a matter of fact, it might be put up at £20 per acre.

Mr. MANDERS.—£1 per acre is the minimum upset price in Otago.

Mr. REES.—Well, then, this Bill does not alter that, and so the honorable member for the Taieri is wrong in saying that it does. With regard to the remarks of the honorable member for Wellington City (Mr. Travers), I have only to say that I cannot see how he can understand the proviso to the 4th section to mean that the laws with regard to land sold on deferred payments are not to remain in force. This clause deals merely with the price of land; but, even assuming that it might be misunderstood in its present form, it only requires the addition of a few words when the Bill is in Committee to make it clear. I shall be glad to assist the honorable gentleman to make any alterations in the wording which will make the meaning of the clause more clear. I shall not refer to the arguments which were used to show that the Bill would have the effect of increasing or depreciating the value of people's properties, because it appears to me that the same argument was used by both sides to prove both things. The honorable member for New Plymouth has told us that land which was open to free selection at an upset price of £1 per acre and which was not sold when offered at auction could not be sold afterwards for less than £2 per acre. But I do not think that the term "free selection" has any reference whatever to lands which have been offered for sale by auction. I take it that free selection means roaming over the land and selecting what you like.

Mr. MANDERS.—No; it means that you can select only in blocks which are specially set apart for the purpose.

Mr. REES.—I understand that in the Province of Canterbury, where they have a system of free selection, a man can take up land wherever he may choose. It is the same, I believe, in Southland, and in my opinion that is real free selection. I do not think that the merely being permitted to take up land at the upset price, after it has been offered for sale by auction, constitutes "free" selection. However, that also may easily be made clear when the Bill is in Committee. In conclusion, I may say that I think there is something in the argument of honorable gentlemen on the other side, that these Bills, which have been brought down by the Government to-day, are of sufficient importance to demand our serious consideration, and that therefore they should be thoroughly understood by the House before they are dealt with. It would be well that honorable members should have time to look over the provisions of this Bill and the Financial Arrangements Bill before discussing them, and therefore I shall not object to the adjournment of the debate.

Mr. ORMOND.—I would suggest that we should take this course: The House has already decided that the Financial Arrangements Bill shall be taken this evening, and I suppose we shall then have some explanation from the

Government regarding it. We shall then be able to say whether we shall go on with this Bill at once or not. We are quite ready to agree that the debate on this Bill shall be resumed after we have heard the Government explain the Financial Arrangements Bill. I think the debate should be adjourned until Monday, because it is clear that we ought to hear the statement of the Government on the Financial Arrangements Bill before we go any further.

Mr. LUMSDEN.—I shall oppose this Bill as far as it tends to make fresh provisions in regard to the price of land. I believe this Bill—or that part of it which provides for raising the price of land—has been brought forward in consequence of the complaints which have been made by some honorable members to the effect that in some districts the settlers have had to pay a larger price for their land than the people in other districts have paid for theirs. I hold that it will be unjust to generalize the Land Fund. I would point out that land which is bought at a large price may in reality be cheaper than that which is obtained at a low rate, because it may be very superior in quality. We may compare land in Canterbury with land in Otago, and to all appearance they are of equal value; but, when we consider how much better the Canterbury land is than the Otago land for grain-growing purposes, it will be seen that there is no comparison between them in point of value. I cannot see that a man sustains any injury by having to pay a higher price for superior land. He does so of his own accord, and if he choose he can get cheaper land elsewhere. But there is one danger attending this Bill. I fear that, as it may intercept another measure which has been passed by this House, the result may be that the Upper House may find in it an excuse for dropping the Bill already passed by this House. If the Bill which we have already passed should be rejected by the other branch of the Legislature, and if this Bill is substituted for it, I think it will be a great misfortune to the country. Therefore I am not disposed to support the Bill, especially in its present shape. Taking it as it applies to the land regulations of Southland, the provisions of clause 4 seem to me to be of a most conflicting nature, and I think it will seriously affect the progress of settlement in that part of the colony. It is proposed to make the land under free selection available for purchase at the uniform price of £2 an acre. We have got free selection there, but the land is not of uniform price. It is classified as agricultural and pastoral land. There are certain patches of land which would be unsaleable if the price were fixed at £2 an acre. There is a way of evading the provision for making the price of land £2 an acre on free selection, and it seems to me very unwise to encourage, as it were, by the peculiar phraseology of the law, any evasion of the law. I could go into Southland and select 50 or 100 acres of pastoral land for less than 40s. an acre. If I knew that any person was wanting land, and I told him that the land which I had applied for was open for sale—if he made application for the same block of land, under these

circumstances the land would have to be put up to sale by auction, and I presume, in that case, it would be put up at £1 an acre instead of £2. This clause recognizes the permanency and force of the existing land regulations where they do not conflict with this new Bill. If this Bill goes into Committee I intend to propose the addition of a clause to this effect: that where any two or more applicants apply for the same land on the same day, notwithstanding that the price of land at free selection may be 40s. an acre, it shall then be put up at auction at the upset price of 20s. an acre. That will be carrying out the idea that runs through the Bill, and it will make the Bill much more acceptable to the people of the district I represent. I shall certainly oppose any attempt to adopt a uniform price for land all over the colony. I think there must be a discrimination in respect to the value of the land in the different provinces under the various conditions existing. We do not require this Bill, and I prefer to leave well alone. We can carry on very well until next session with the Land Bill which we have passed, and which is now under the consideration of the other branch of the Legislature.

Sir R. DOUGLAS.—Speaking merely on the question of adjournment, I think we may very well adjourn the consideration of this Bill until Monday. I would point out to the Premier that it is impossible that we can fully consider this Bill as it affects the waste lands of the Province of Auckland, in a few hours. I feel myself perfectly free to vote on this question as I think right. It is not a party question, and I desire to give to the Bill my best consideration.

Debate adjourned.

Mr. SHEEHAN moved, That the House adjourn.

Mr. ROLLESTON.—I hope the Government will meet the House this evening, as was arranged. There are a number of honorable members who are going away, and who are anxious to hear the statement of the Government with regard to their Financial Arrangements Bill, and it would facilitate matters very much if we had that explanation to-night. We should then be in a position to consider the proposals, and on Monday we could discuss these measures together. For my own part, I must confess that I do not understand the proposals of the Government, and it is only fair that we should have the fullest information on the subject before us. The Government asked us this afternoon, and indeed pressed us, to pass this measure without having seen the Financial Arrangements Bill, and without any statement from the Government; but I think the proposals in the Bill we have been discussing are clearly connected with the Financial Arrangements Bill, and with the Financial Statement, which has been very differently construed by honorable members, and generally misunderstood. Even the Native Minister, who has as clear a head as any man in the House, and certainly as clear a head as any member on those benches, says the more he has heard of finance the more he is mystified by it. Therefore I think we should be allowed time to consider these

measures by the light of the fresh statement which will have to be made by the Government. I am very much mystified by these proposals of the Government. I could understand them if the Government had brought down a measure showing that the necessities of the colony rendered them obligatory; but they have not done so. We are told in their Statement that the Land Fund is to be colonialized. That, judging from their course of procedure, means, first, taking large tracts of land in those districts where there are and appropriating the proceeds of them locally for local railways; secondly, while the Land Fund is being colonialized, the districts in which it arises are said to be entitled to that fund for opening up roads and constructing works; and further, there is to be a power in this House to make main arterial roads: and yet the measure is said to be in favour of the public creditor.

Mr. SHEEHAN.—I rise to a point of order. Is the honorable member entitled to go into the general policy and measures of the Government on this motion for adjournment?

Mr. SPEAKER.—The question is the adjournment of the House, which opens up a large field for discussion, and therefore I do not think I should be authorized in stopping the honorable member for Avon if he thinks proper to proceed.

Mr. ROLLESTON.—I was trying to show reasons why it is very expedient for the House to consider the proposals of the Government as a whole. We have the Financial Arrangements Bill before us, also the Waste Lands Administration Bill, and I think it is only reasonable that the Government should meet us at half-past seven and give us such an explanation of the former Bill as they can afford us. We could then, on Monday, discuss these measures as a whole in connection with the policy of the Government. For my own part I feel in a somewhat difficult position with regard to these measures. No Canterbury member has spoken upon the financial proposals and upon this great change, which obviously affects that place more than any other part of the colony. (No.) Whatever the proposals of this temporary Bill may be, there is no doubt that in respect to Canterbury this is a greater revolution than it will be in any other part of the colony. I was in hopes that we should have heard from the member from Canterbury who sits on the Government benches a statement of how the proposals would affect that part of the country. I had also hoped to hear from the honorable member for Akaroa, who is supporting the Government, a statement of his view of the proposals. It seems to me that the proposals of the Government, as I now read them, will tend to the stoppage of all land sales for the next six months, especially in Canterbury. People will not buy land with this temporary measure hanging over them. In Otago the same result, though for different reasons, will happen; and no doubt, as has been said by the honorable member for Mount Ida, a like result will follow in the North Island. And this will happen in the face of what we are told is a great financial difficulty, when the public creditor is to

Mr. Rolleston

have an assurance that our finance is to be put on a firm basis. I think the Government should give us the fullest opportunity of discussing these measures and educating what is now apparently inexplicable. The two principles of this Waste Lands Bill are, undoubtedly, the classification of the land, and, as a principle leading up to that, the sale by auction. These two principles are absolutely alien to the principle that has hitherto obtained in Canterbury, and I cannot understand how any member from Canterbury can accept this measure from the Government. This Bill, moreover, as it seems to me, is clearly intended to shelve the other Bill which we have passed. It contains on the face of it a statement which shows that such is the case, for it says, "‘Land District’ has the same meaning as is given to that expression in ‘The Waste Lands Administration Act, 1876.’" That means that the Land Bill of 1877, which repeals the Act of 1876, is not to come into force. Then the 5th and 6th sections are in the Land Bill which has already passed this House and gone up to the other branch of the Legislature. I hope the Government will reconsider their determination not to make a statement this evening, because the House and the country are fairly entitled to it. We are told that the House is to be prorogued in a few days, and in the meantime the country has no idea of the magnitude of these proposals.

The hour of half-past five having arrived, Mr. SPEAKER left the chair.

#### HOUSE RESUMED.

Mr. SPEAKER resumed the chair at half-past seven o'clock.

Mr. ROLLESTON.—I desired that the usual afternoon adjournment should take place in order that I might have an opportunity of addressing the House again on the important question before it; I also wished to protest against the proposals of the Government, as being entirely illusory for the purposes for which, they were brought forward; and I desired, further, to give the Government an opportunity, of which, I understand, they will not now avail themselves, to give us their views upon the financial proposals embodied in the Financial Arrangements Bill. I understand that it is the general wish of honorable members that the House should now adjourn—that there is no intention to go on with this debate. Under these circumstances, I do not wish to say anything that will provoke debate. I will say no more on the present occasion, except that I am sorry the Government have not seen their way to enlighten us upon their proposals—proposals which, without any light being thrown upon them, I look upon as the most preposterous that have yet been placed before the House.

Motion by leave withdrawn.

The House adjourned at twenty minutes to eight o'clock p.m.

## LEGISLATIVE COUNCIL.

*Monday, 3rd December, 1877.*

First Readings—Second Readings—Third Readings—  
Call of the Council—West Coast Compensation  
Claims—Waipawa County Council—Waste Lands  
Committee—Oamaru Recreation Reserve—Land Bill.

The Hon. the **SPEAKER** took the chair at half-past two o'clock.

## PRAYERS.

## FIRST READINGS.

Disqualification Bill No. 2, Foxton Reserves Bill.

## SECOND READINGS.

Stamp Bill, West Harbour Mayoralty Bill, Native Land Bill.

## THIRD READINGS.

Stamp Bill, West Harbour Mayoralty Bill, Westland and Nelson Coal Fields Bill.

## CALL OF THE COUNCIL.

The Hon. the **SPEAKER** intimated that he had received a telegram from the Hon. Mr. Campbell, in which he stated that he had only received the Speaker's notice a few days previously, and was unable to attend owing to an attack of ague.

On the motion of the Hon. Colonel **WHITMORE**, it was resolved that, under the circumstances, the Hon. Mr. Campbell should be excused.

## WEST COAST COMPENSATION CLAIMS.

The Hon. Mr. **PHARAZYN** asked the Hon. the Colonial Secretary, Whether the Government will, during the recess, take into consideration the claims of the settlers on the west coast of the North Island for compensation, either in confiscated lands or otherwise, for losses sustained by them during the last Native rebellion, with the view of legislating for the same during the next session? On the 21st August, 1873, he put a similar question to the Hon. Dr. Pollen, the then Colonial Secretary, who replied as follows: "He would not trust himself to say a word on the general subject of compensation, but he would answer his honorable friend's remarks categorically, and tell him the Government did not intend at present to recommend any such appropriation." He was led to believe that the Government would take the matter into consideration at some subsequent time by the action of the late Premier, Major Atkinson, who, in the year 1874, when the case of the Rev. T. S. Grace was before Parliament, made the following remarks on the question of compensation:—

"Major **ATKINSON** would repeat what he had said on former occasions, that the House had never come to any conclusion upon the subject of not granting compensation. A Committee only had recommended a certain course to the House, which it had never adopted. On several occasions the House acted contrary to that recommendation. He would feel it to be his duty, in a future session, to bring before the House the claims of settlers who had been shamefully wronged by the colony in this matter. He would

support the motion, because it seemed that Mr. Grace had a special claim for compensation, seeing that an award had been made in his favour and recommended by the Petitions Committee. He was glad to hear that the Government were prepared to let a private individual go to the persons who had wronged him and obtain reparation from them; but he was afraid the adoption of such a course would lead to serious difficulties. When persons who had suffered by the action of the Natives were informed that their claims were to be paid by the land of those Natives, some of his (Major Atkinson's) constituents might seek the same privilege, and request the House to ask the Natives to grant them land as compensation for the losses they had sustained. The people had suffered in the cause of the colony, and the colony was bound, in honesty, to make good their claims. The House might shift the responsibility from year to year, but they would certainly have to meet it, and they could not much longer resist doing justice to those persons who had suffered in their cause. He should have the matter brought up from time to time, and endeavour to have it definitely determined. He would support the present case, with the view of obtaining justice to those persons who were suffering most injuriously in behalf of the colony."

That speech of Major Atkinson's was made when he was not Premier. When he had occasion to speak to that gentleman subsequently, and to call his attention to the opinion he then expressed, the answer he received was that a man in office was very different from a man out of office—that he was only one as a member of the Government, and could do nothing in the matter. There the question had remained until the present time; but he (Mr. Pharazyn) had been watching his opportunity. A change of Government had lately taken place, and he now brought the matter forward again, being induced to do so from a conversation that he had with the Premier of the present Government, whom he addressed on the subject, and from whom he had received a very satisfactory answer, to this effect: It was a shame that these claims had not been acknowledged long before—not only the claims on the West Coast, but those of Auckland. He presumed the Premier would hold the same opinion now as he did then. From this he was led to the belief that the time had come when the settlers on the West Coast would be listened to, and some compensation given to them either in land or otherwise. A lady of his acquaintance was consulted by a young married friend as to how she could get over her differences with her husband, whom she could never get to do what she desired. The other lady said, "You do not go the right way about it. You should worry the man. Worry, worry, worry; and you can get what you like." That was what he meant to do. He would worry every Government until he got his grievances redressed, and he was satisfied that he would not go down to his grave in peace as long as this was an open question. If he did, he hoped his spirit would haunt every Minister until the redress he sought was granted.

The Hon. Colonel **WHITMORE** said the prin-



ciple involved in these claims was in no wise different from the principle of war compensation throughout New Zealand. The system was applied—perhaps foolishly applied—in the year 1864 or 1865, when a quarter of a million of money was given in compensation to settlers of Taranaki. It might have struck the Ministry of the day, perhaps, that, if they established that principle, no amount of public indebtedness would suffice to discharge all the claims that might arise under it. The House of Representatives, becoming alarmed in 1867 at the growth of these claims, had a Committee appointed, of which, he thought, Mr. Travers was Chairman, and which reported to the House. The principle of the recommendation contained in the report had guided the consideration of all such claims from that time. That principle was comprised in a few words: that losses created by action of the enemy must be considered as misfortunes to the country, which it would be impossible to compensate; but losses created by the action of our own troops, through, for instance, the pulling down of houses to leave a clear fire round a fort, or anything of that sort, ought to be compensated; and the Government had acted upon that principle ever since. He was not aware that Wanganui stood in any different position from the East Coast, and he should think, in the matter of compensation, it was not in such a good position, because the East Coast had never received anything at all, whereas many of the settlers of the West Coast had been compensated in one form or another. The answer to the question of the honorable gentleman was that, except as a consequence of the distinct action of another branch of the Legislature—a clear and distinct expression of opinion in the direction of repealing the resolution of the House which had guided them so long—the Government could not give effect to or bring under the consideration of Parliament, more especially at the present time when the finances were at such a low ebb, any claims of this kind. The honorable gentleman said that land must be given, but the honorable member knew perfectly well that only the other day Wanganui had to go all the way down to Manawatu to find an endowment, and therefore there could not be a solution of the question in that quarter. He was sorry that people had lost money and had lost some years of their lives on the West Coast; but this had happened in many other parts of the country, and it seemed beyond the power of the Legislature to replace these settlers in the same position they were in before the losses occurred. There was nothing different in principle between these cases and those that occurred in other civilized countries. It would be quite impossible for the French to compensate those provinces of France that were devastated by the Franco-Prussian war, and in every country in every part of the world the action of the enemy was looked upon as a calamity which could not be compensated. He did not think, therefore, there was any precedent for compensation in these cases, except that of Taranaki, which the colony could not afford to repeat.

*Hon. Colonel Whitmore*

#### WAIPAWA COUNTY COUNCIL.

The Hon. Mr. RUSSELL asked the Hon. the Colonial Secretary—(1.) Whether the Government instructed Mr. Dromeo, the Returning Officer for the Riding of Waipukurau, and Mr. White, the Returning Officer for the Riding of Porangahau, to return only one member for each of these ridings, instead of two as directed by the Governor's Proclamation contained in the *New Zealand Gazette* of the 28th November, 1876? (2.) If they have taken the advice of the Law Officers of the Crown as to the legality of such a proceeding? (3.) What steps they have taken, or intend to take, in order to carry into effect the law as to the return of two members to the County Council of Waipawa for each of the Ridings of Waipukurau and Porangahau? He would briefly explain to the Council the reasons which induced him to bring this matter forward. Honorable gentlemen would recollect that on the 28th of August last he put a question to the honorable gentleman who then represented the Government; and, with the permission of the Council, he would quote from *Hassard* what then took place:—

"The Hon. Mr. RUSSELL asked the Hon. the Colonial Secretary, Why, the Waipawa County Council having been fixed, by Proclamation in the *New Zealand Gazette* of 28th November, 1876, to consist of nine members, the number was reduced by taking one member each from the Waipukurau and Porangahau Ridings? By a Proclamation in the *Gazette* of 28th November last the County of Waipawa was divided into six ridings, for three of which—Ruatanihua, Waipukurau, and Porangahau—two members each were to be elected, and for the other three one member each. The electors immediately proceeded to make arrangements for the election on that basis; but, within a few days of the nomination day, a Mr. Fannin, of Napier, a gentleman who for many years was Superintendent's Clerk, sent instructions to the Returning Officers at Waipukurau and Porangahau that an error had been committed, and that only one member for each of these ridings was to be elected. The Returning Officer for Porangahau, not deeming that Mr. Fannin's instructions were a sufficient warrant for him to disregard the *Gazette* notice, allowed the nomination of two candidates, and, no opposition being made, they were declared duly elected. The Returning Officer for Waipukurau, however, acting under Mr. Fannin's instructions, only allowed one member to be nominated, and therefore only one was elected. The extra member for Porangahau, on being told that his election was not legal, resigned. Two important ridings had been deprived, without any reason being assigned, of the additional member to which they were entitled under the *Gazette* Proclamation. No doubt the business of the County Council had been very much disarranged by this alteration, as two of the most important districts had not been adequately represented.

"The Hon. Dr. POLLEN said that, in a note to the *New Zealand Gazette*, No. 67, published on the 8th December, the honorable gentleman would find the information he desired. It ap-

peared that the original number was printed in error, and that the error had been corrected in the shape of an *erratum*.

"The Hon. Mr. RUSSELL asked the Colonial Secretary whether the original number of two to each district was in the draft of the Proclamation, and was afterwards altered.

"The Hon. Dr. POLLEN could not answer that question from recollection."

Since that time matters in this County Council had gone on from bad to worse, and he might say that things were now in a state of deadlock. He saw by the report of last week's proceedings that three members, who represented two northern ridings, not being able to have their own way in the Council, simply put a stop to all business by marching out of the Council-room in single file, and thereby preventing the transaction of any business. He had ascertained lately that the alteration in the original *Gazette* was a very irregular one, and, he had reason to believe, illegal. He had also reason to believe that the proceedings of the Council might be declared to be illegal, and their power to strike a rate which was necessary for providing for the expenditure of the last year might be rendered abortive.

The Hon. the SPEAKER was afraid the honorable gentleman's remarks had a tendency to be argumentative; he would only be in order in referring to facts.

The Hon. Mr. RUSSELL would conclude by saying that it was with the view of having some remedy applied to the state of things he had described that he brought this matter again before the Council.

The Hon. Colonel WHITMORE said he would answer the honorable gentleman's question categorically. In reply to the first question he might say that the two telegrams instructing the two Returning Officers referred to to return only one Councillor were on record, and he produced copies. With regard to the second question, the late Government did not appear to have taken the advice of the Law Officers of the Crown as to the legality of the proceeding, but, as far as he could trace, the instructions to the Returning Officers were given on their own motion. The honorable gentleman asked what steps had been taken, or were intended to be taken. He was not in a position to tell the honorable gentleman what steps the Government might take in this matter. They had only just come into office; they had had other matters to occupy their minds and their attention, and had not been able to consider the question very fully; but the honorable gentleman might depend upon it that as soon as they had time, and understood the law clearly on the subject, they would take such steps as were necessary and legal in the matter.

On the motion of the Hon. Mr. RUSSELL, it was ordered, That there be laid on the table of this Council the original *Gazette* proclaiming the divisions of the County of Waipawa, and the representation of the different ridings of the said county, together with a copy of all correspondence on the subject of any changes of such representation, or of boundaries of such ridings, with any minutes relating to such changes.

#### WASTE LANDS COMMITTEE.

The Hon. Sir F. DILLON BELL.—Sir, in asking that my name may be taken off the Waste Lands Committee, I will endeavour not to say a word which would renew any irritation that unfortunately might have existed in the minds of honorable members in consequence of what lately occurred; but I find it impossible, consistent with my own honor and self-respect, to continue any longer on the Waste Lands Committee. On the day I had the honor to take my seat in this Council, I found a motion before the Council for the appointment of the Waste Lands Committee; and the Council determined to proceed to the election of that Committee by ballot. It was not until some time afterwards that I became aware of the reasons which had actuated honorable members in desiring that that method should be pursued, and I may say that I entirely disapproved of that mode of election, because I think that all the important Sessional Committees, and especially those in which large measures have to be considered, should be nominated by the Executive Government, who are properly responsible for the names they suggest. It is no part of what I have to say to reflect on the reasons which actuated honorable members in taking the course they then did. My own duty was simply to fulfil that part of the work which the Council placed on me; and throughout the session I have given assiduous attention to the work of the Committee. I was not aware, not having previously had a seat in the Council, of the practice to refer a large class of Bills to the Waste Lands Committee which, so far as I could judge, were hardly within the scope of the Standing Order relating to that Committee; but I accepted the work as I found it, and, with the other members of the Committee, did the best I could with it. I should not have mentioned this if it were not for the references which were made to the Committee the other day. I only wish, in justification of the course I took in that matter, a course which I pointed out was on that occasion entirely accidental, to say there was no idea on my part of taking any action whatever in the Waste Lands Committee to the advantage of the pastoral tenants. Sir, it is mere affectation and nonsense to pretend we do not know that it was that question which actuated honorable members on the occasion I am referring to. But so far from taking, or intending to take, any part whatever in the Committee to the advantage of the pastoral tenants, I have, from the first day of the session, inflexibly refused to have anything whatever to do with any proposal, coming from whatever source it might, which either gave new advantages to the pastoral tenants, or which sought to seize the occasion of the passage of a Bill through this part of the Legislature to interpolate clauses which had not been passed in the House of Representatives. The most eager solicitations were made to me to use any influence I might have in the Committee to bring forward particular views, and to every one of those solicitations I gave the same inflexible refusal. I approved of the principles of the Waste Lands Bill, and I wished to give them a

loyal effect. The one thing—and of this I made no secret—which I wanted to bring before the Waste Lands Committee in which the pastoral tenants were in any way interested, was an amendment in the Bill enabling any one, who claimed to have a right under the existing law, to have the question and extent of that right tried in the Supreme Court; and my reason for that amendment was, that I possessed, and, Sir, I now hold in my hand, accumulated and irresistible proof that the Waste Lands Board of the Province of Otago have deliberately, knowingly, and intentionally violated the existing law, and that these violations of the law are matters of public scandal, which they do not themselves deny. I shall, if necessary, quote from the records of their own proceedings, which they cannot deny, to show that they have been acting contrary to law. I wished, I repeat, to give an opportunity to any one who may deem himself aggrieved by the action of the Waste Lands Board to have his case tried in the Supreme Court. I had no other object, and no intention to advocate any interest whatever in the Committee connected with the pastoral tenants. Now, Sir, what happened here a day or two ago would hardly have been of itself a justification for my asking the Council to relieve me from further attendance on the Waste Lands Committee; that was a merely personal matter; I am going on public grounds now. I hope it will not be supposed that I am saying anything offensive to the honorable and gallant gentleman opposite, when I point out that, on the very same day on which the honorable and gallant gentleman moved the second reading of the Land Bill in this Council, one of his colleagues in the other House of Parliament was moving another Bill the effect of which is absolutely to repeal this Bill: and it appeared to me an unwise course to precipitate legislation upon the matter, and not allow both measures to go before the Waste Lands Committee, which, in every instance before this one, had been specially charged with the duty of examining Bills affecting the public lands. Sir, I could not use more eloquent or more appropriate words to express my meaning than those which I will now take the liberty of reading:—

“I think that a measure of so much importance to the whole country should not have been thrown down on the floor of this Council on the third or fourth day before the termination of the session. There is no Bill more proper to be first introduced into the Legislative Council than a Waste Lands Bill; and it has been kept back, kept back, all the time that we have been asking to have business brought before us. I do not think that in a matter of this kind, which we are disposed always to enter into with a liberal spirit, and with the utmost desire to give fair-play to the existing claims of early settlers, clauses of that kind should be hurried into this Council in the last few days of the session.”

These are not my words; they are words used by the honorable and gallant gentleman last session, when he manfully resisted the efforts of the Government to rush a new Land Bill, exactly as we are doing now, through the Council without

*Hon. Sir F. Dillon Bell*

investigation. If the Council adopt this precedent of accepting legislation that comes up from the House of Representatives, on large matters affecting the welfare and interests of the country, in the last days of the session, and refuse to give them full consideration, I think we shall be entering upon a slippery path, which will neither add to the reputation of the Council nor to the confidence of the people in the fairness of our deliberations. By this Land Bill immense changes are proposed to be made in the existing state of the law, and new relations are to be created between the various classes of the community. I still think these are questions which the Waste Lands Committee should have an opportunity of investigating. I still think the Committee should have an opportunity of collating the various laws about to be repealed—

The Hon. Colonel BRETT.—I rise to a point of order. I think this is a long lecture we are receiving on a matter quite irrelevant to the motion of my honorable friend. I am sure our time is very precious to all of us, and I do not think we should take up the time of the Council with matter irrelevant to the subject before the Council.

The Hon. the SPEAKER.—I think the honorable member is quite in order in giving his reasons. He will no doubt consider that there is a great deal of important work before us.

The Hon. Dr. GRACE.—If the Hon. Sir Dillon Bell will not go on with his address, I hope he will pardon me for expressing a desire that he will not persist in pressing his motion, because I am sure that the Council, when it passed the resolution referred to, was actuated mainly by the desire to enter fairly into the consideration of the large question that is now before us. That question is one that touches every member of the Council so closely that we all felt it was our duty to give the greatest possible attention to the subject. In fulfilment of that responsibility I myself went through the Bill with the most patient industry, and spent hours in studying it. I will go further, and declare that, when the honorable gentleman addressed the Council, the impression on my mind was that he simply wished that the importance of the question should be appreciated by the Council; and that, if the Council wished it, he was prepared to go on with the consideration of the Bill in full Committee. I am the last man in the Council who would wish to interrupt any of the ordinary stages of business in cases of this kind, and in voting as I did I was really under the impression, which now appears to have been a mistaken one, that a large number of the members of the Waste Lands Committee desired that the consideration of the Bill should be taken in full Committee of the Council. I asked one member of the Committee how he wished me to vote; but it appears that I voted contrary to his wishes. If so, it only goes in further explanation of the fact that the general bearing of the honorable gentleman's address on this question may have been misunderstood by others as well as myself. I therefore think that the honorable gentleman should withdraw his motion, and I am sure that

no member of the Council meant any disrespect to him or to the Waste Lands Committee in the way they voted. All these things must be ruled by a spirit of compromise, and I think that the honorable gentleman should be content to withdraw his motion, so long as it is acknowledged by all members of the Council that we should give this question most conscientious consideration.

The Hon. Captain FRASER.—I may say that there is not a single runholder in Otago or Southland who would for a moment imagine that the Hon. Sir Dillon Bell would take advantage of his position in the Council to get a benefit for them. On the contrary, their dread is that he will do something to their great injury. During the last few days the honorable gentleman has thrown the whole of the assessment upon the Crown tenants instead of on the Crown land.

The Hon. Colonel WHITMORE.—I hope the honorable gentleman will consent to withdraw his motion as he has been asked to do by the Hon. Dr. Grace. I must say that I should be sorry to see him terminate the session, which he has distinguished by very hard work on some of the most laborious Committees, by resigning his seat on the Waste Lands Committee when all the work of the session is over. They have had a very laborious time of it, and no honorable gentleman has been more constant in his attendance than the Hon. Sir Dillon Bell, and I am sure that on the reports of the Committee and on its various proceedings he has left his mark. The honorable gentleman observed that last session I complained of the practice of bringing most important Bills into this Council in the last week of the session. I did complain of it, and I complained of it again this session, but at the right end of the session. I did not complain when the thing was unavoidable; but I begged of the Government to bring in as many of their more important Bills as possible into the Council at the beginning of the session, because then the probabilities were that we should not be very much pressed at the end. The circumstances of this Government are such, having taken the duties of the Government in the fourth month of the session, that it would be really unreasonable for honorable members to complain that the Government brought serious business in at the very end. They found all the business in abeyance. Nothing had been done during the first three months of the session, except the passing of that valuable measure the Crossed Cheques Bill. I believe that was the only Bill passed, although there were some very important measures before the House, and partly through. This Land Bill was one of those measures, and we have pushed it forward, and managed also to forward all the business introduced by private members, which has been very considerable this session. It is unreasonable to blame us for the fact that, unless members will consent to sit for a longer period, we are obliged to bring in the whole business during the present week. This happens to be the last week of the session, simply because pressure is brought to bear on the Government to make it the last week of the session. It is only out of consideration for Parliament that we talk about the prorogation

taking place. But it is quite in the hands of Parliament itself, because the Government will not prorogue till their more important measures are passed or rejected. The honorable gentleman has said that my colleague in another place has brought in a measure to repeal this Land Bill. I hope, when that measure makes its appearance in this Council, he will not insist upon that view. The honorable gentleman said that, if this Bill went to the Waste Lands Committee, he thought it would save time. It is because I entertain a contrary opinion that I moved that the Bill should not be considered there. I do not deny that it is sometimes a convenient way, so long as we have practical reasons for believing that the Council will accept the report of the Committee, to send measures before that Committee; but we know perfectly well, and, indeed, we have been told by many honorable gentlemen, that they do not intend to accept the report of the Waste Lands Committee as final. If that is the case, what is to be gained by having two sets of arguments, one in the Waste Lands Committee and another in the Council, on the same subject? If there is anything that requires verification that cannot be done here, it will always be open to the Council to relegate that particular matter to the Waste Lands Committee. I think, therefore, the honorable gentleman will find that if honorable members go thoroughly into the matter in the Council a great deal of time will be saved. Honorable gentlemen may depend that they will have ample time to consider the provisions of the Bill. I hope the honorable gentleman will not entertain the idea that any reflection was intended to be cast on him. He is the last man in the Waste Lands Committee on whom I should be disposed to cast such a reflection, because, though he was practically unknown to this Council when he was appointed to it, he has since worked so extremely hard that the impression he has left on the minds of honorable members is that he is one of the most valuable members we have ever had on that Committee.

The Hon. Mr. MANTELL.—I was not so surprised at the Hon. Sir Dillon Bell asking to be removed from the Waste Lands Committee as, I dare say, he will be at my opposing the motion he has made. I am not surprised at his taking this action, because I am credibly informed that this Committee has been, by some extraordinary misconception of the facts, said to be a "packed" Committee. Now, an honorable gentleman does not like to be a member of a "packed" Committee. I drew attention to the use of the word; but probably I ought to have moved that the words should be taken down. I confess that I think the application of such a word to a Committee appointed by ballot in this Council was not respectful not only to the Committee, but to the Council. I hope the Hon. Sir Dillon Bell will not retire from a position which he has filled so ably during the whole session. Nobody in the Council could expect such thorough and intelligent investigation as is got from the Hon. Sir Dillon Bell. It is now thirty years since the honorable gentleman first directed his attention to the subject, and I am

quite sure, although I have not the honor of a seat on that Committee, that the members of the Committee must confess the value of his services. I shall oppose the motion, because I think it would be more becoming and more dignified to that Committee, and would tend more to maintain the respect which we feel for it, if, notwithstanding that by an accidental decision of this Council—a decision which, I think, will not always be looked upon with satisfaction—that Committee has been relieved from the discharge of its most important function, it should remain there ready to do its duty. I hope that if the honorable gentleman will not withdraw his motion the Council will refuse to allow his name to be withdrawn from the Committee.

The Hon. Mr. ROBINSON.—It was not my intention to have spoken on this motion were it not for a few words which fell from the last speaker. I cannot allow the remarks of the honorable gentleman to go uncontradicted. I did not intend to say anything that would be disrespectful to the Council when I made use of the word "packed." What I meant was that there had been preconceived action previously to the election of the gentleman proposed to sit on the Waste Lands Committee. I had good reasons for stating that. When I was called to order by the honorable and gallant gentleman opposite I challenged him to stand up and deny what I stated. I was perfectly willing to withdraw every word I said reflecting on the action of the honorable gentleman in this Council if what I said could be denied; but I knew it could not be denied. As I explained on a previous occasion, I had no intention of reflecting on any honorable gentleman. I have perfect confidence in every member of the Waste Lands Committee; but honorable gentlemen must know how difficult and indeed impossible it is for people to give that amount of fair consideration which is necessary to an important subject, when it is believed by the outside public that they are directly interested. Again, the action taken made it appear that the runs were the only questions involved in the consideration of this Waste Lands Bill; but there are other large interests quite as great, in my opinion, as that question, and action had been taken in this matter on one or two occasions in which I was placed in anything but an enviable position. I say, if any honorable gentleman in this Council had been brought forward prominently once or twice in connection with the election of this Waste Lands Committee, and had been black-balled in the way I have been, he would have felt it quite as much as I did. On one occasion the Hon. Mr. Menzies proposed that he should have leave of absence for the rest of the session, and immediately afterwards he suggested that his name should be withdrawn from the Committee, and another honorable gentleman proposed in lieu of him. I did not make any objection at the time, but I think it was quite out of order and out of place for any honorable gentleman to take upon himself to do that. I think it was the duty of the Government to have proposed a member of the Committee; but I have reason for

*Hon. Mr. Mantell*

knowing that an arrangement had been made, and I know that honorable gentlemen have been asked to vote for the Hon. Mr. Miller. Most honorable members were completely taken by surprise. As far as I was concerned I did not care about being on the Committee, and I never particularly wished to be on it. But when the Council refused to place me on the Committee I could come to no other conclusion than that honorable gentlemen were not so liberal towards me as I was willing to be towards them. I believed that they would give a fair and conscientious report in favour of what they believed to be the best for the country; but it seemed that they did not think I would do the same, and they appeared to look on me with a degree of suspicion. I was therefore irritated, and perhaps used the word "packed" instead of merely saying that preconceived action had been taken with regard to the election of the Committee. I am sorry that the Hon. Sir Dillon Bell proposes to withdraw his name from the Waste Lands Committee. He has distantly alluded to some remarks which fell from me, but I assure him, as I have assured him previously, that I had no idea that he could take any remark I made to himself.

The Hon. Mr. HALL.—I wish to state that I share the regret expressed that the Hon. Sir Dillon Bell should ask to have his name withdrawn from the Waste Lands Committee. I do not agree with some honorable members who contend that he has no just ground of complaint. I venture to think, with the greatest possible respect to the Council, that he and other members of the Waste Lands Committee have very strong reason to complain; and, although I have not taken the step taken by the Hon. Sir Dillon Bell, I sincerely trust that in future sessions I shall never be asked to sit on that Committee. Though I feel it my duty to remain on the Committee for this session, I shall in future sessions beg the Council to exonerate me from that duty. If on the present occasion the Hon. Sir Dillon Bell persists in his desire to be relieved from sitting on the Committee, I do not think the Council should refuse his request. I therefore trust the motion will be unanimously agreed to.

Motion negatived.

#### OAMARU RECREATION RESERVE.

The Hon. Mr. MILLER, in moving the motion standing in his name, said that the Committee appointed to inquire into this question of the leasing of a portion of the recreation reserve at Oamaru to Messrs. Hay and Barr had laid their report on the table. The report recommended that the lease given to those gentlemen should be cancelled. It appeared that the advertisement, which was published on the 17th September, 1877, offering these sites to the public, did not include, and could not possibly have been understood by the general public to include, the site in the Town of Oamaru which had been now leased to Messrs. Hay and Barr. For that reason, and for other reasons which the Committee gathered from the evidence before them,

they recommended, in terms of the report, that the lease should be cancelled.

Motion made, and question proposed, "That the report of the Committee upon the lease of a portion of a recreation reserve at Oamaru to Messrs. Hay and Barr, laid on the table on Saturday, the 1st December, be agreed to; and that a copy be forwarded to the Government for their consideration."—(*Hon. Mr. Miller.*)

The Hon. Mr. HOLMES wished to ask what course was to be pursued in regard to his motion, which he moved some time ago, to the effect that the lease granted to Messrs. Hay and Barr should be cancelled. He might state that Mr. Ormond, the late Minister for Public Works, appeared before the Committee and stated distinctly that he never intended that such sites should be let except in country districts. An advertisement had been published, in addition to the one he had read on a previous occasion, but it was merely to the effect that sites for stores might be let in country districts. In evidence it was distinctly stated that it was never intended to let sites for such purposes in towns like Oamaru, Timaru, Christchurch, and Dunedin. The irresistible conclusion was, that the public were not aware that the sites were to be leased, and that the lease to Messrs. Hay and Barr should be cancelled. Besides, there were other considerations. The land in question would, he believed, be required for railway purposes, and it would be a great mistake to let any land in that locality and interfere with the railway. He wished now to ask what would become of his motion, seeing that it had been affirmed that the lease should be cancelled.

The Hon. Mr. WILLIAMSON would have liked the report to have been fuller, and to have stated what had been done on the land. The Government might have made a mistake in letting the land. The report did not say whether the buildings were erected or not, and it might be a very expensive arrangement for the country to annul the lease.

The Hon. Mr. HOLMES, in explanation, said it was considered that nothing had been done, and that, the Government having power to revoke the lease on giving three months' notice, that course should be adopted whatever were the consequences.

The Hon. the SPEAKER said the Hon. Mr. Holmes had asked what would be the effect, if this resolution were carried, of the previous motion of the 26th November—namely, "That, in the opinion of this Council, the lease granted to Messrs. Hay and Barr of a portion of the Recreation Reserve, Oamaru, for the purpose of erecting a grain store thereon, should be cancelled." There was an amendment then moved and carried, that the question should be remitted to the consideration of a Select Committee. That Committee brought up its report, and the question now before the Council was, the adoption or otherwise of that report.

The Hon. Colonel WHITMORE was understood to say that the three months' notice required by law would be given, and that the buildings that were on the land at the time the notice was re-

ceived would have to be purchased by the Government. He was surprised that the late Minister for Public Works should not have perceived the hornets' nest he was raising when he did this. The department, however, felt that there was some difficulty in getting storage for the railway at Oamaru, and greater inconvenience in that respect existed than the Hon. Mr. Holmes believed.

Motion agreed to.

#### LAND BILL.

This Bill was considered in Committee.

Clause 18.—Land Boards established.

The Hon. Mr. BUCKLEY moved the omission of the words, "nor more than five," and, "all of whom shall be appointed and shall be removable from time to time by warrant under the hand of the Governor," with the view to insert the words, "namely, the Chief Surveyor and the Collector of Customs resident within the said district."

Question put, "That the words proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	18
Noes	...	...	...	...	7
Majority for					11

#### AYES.

Mr. Acland,	Mr. Pharazyn,
Captain Baillie,	Dr. Pollen,
Mr. Chamberlin,	Sir J. L. C. Richardson,
Mr. Edwards,	Mr. Robinson,
Mr. Hall,	Mr. Russell,
Mr. Hart,	Colonel Whitmore,
Mr. G. R. Johnson,	Mr. Wigley,
Lieut.-Colonel Kenney,	Mr. Williamson,
Mr. Lahmann,	Mr. Wilson.

#### NOES.

Colonel Brett,	Mr. Miller,
Mr. Buckley,	Mr. Peacock,
Captain Fraser,	Mr. Peter.
Mr. Holmes,	

The amendment was consequently negatived.

The Hon. Mr. HOLMES moved, That the following proviso be added to the clause: "Provided that no member of the General Assembly shall be a member of the Board."

Question put, "That the proviso be added to the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	22
Noes	...	...	...	...	4
Majority for					18

#### AYES.

Mr. Acland,	Mr. Lahmann,
Captain Baillie,	Mr. Mautell,
Sir F. Dillon Bell,	Mr. Miller,
Colonel Brett,	Mr. Peacock,
Mr. Buckley,	Mr. Peter,
Mr. Chamberlin,	Mr. Pharazyn,
Captain Fraser,	Dr. Pollen,

Mr. Hall,  
Mr. Holmes,  
Mr. G. R. Johnson,  
Lieut.-Colonel Kenny,

Mr. Robinson,  
Mr. Wigley,  
Mr. Williamson,  
Mr. Wilson.

#### NOES.

Mr. Edwards,  
Mr. Hart,

Sir J. L. C. Richardson,  
Mr. Russell.

The amendment was consequently agreed to.  
Progress was reported, and leave obtained to sit again.

The Council adjourned at half-past eleven o'clock p.m.

## HOUSE OF REPRESENTATIVES.

Monday, 3rd December, 1877.

First Readings—Lyell Water Supply—Balolutha Railway—Ormond Military Settlers—Tapsall Family—Waste Lands Sale Bill—Defences of the Colony—Financial Arrangements Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

#### PRAYERS.

#### FIRST READINGS.

Public Revenues Bill No. 2, Timaru and Gladstone Board of Works Bill.

#### LYELL WATER SUPPLY.

Dr. HENRY asked the Government, If they will place the sum of £300 upon the Supplementary Estimates to supplement the water supply at the Lyell?

Mr. SHEEHAN replied that inquiries were being made into the matter, and, if it were found that it would be advisable to give the sum asked for, provision would be made in the Estimates for it.

#### BALOLUTHA RAILWAY.

Mr. THOMSON asked the Government, Whether the line between Balolutha Bridge and Balclutha has been opened, as Mr. Blair, on the 24th October last, said it would be; and, if the line is not yet opened, when it will be?

Mr. SHEEHAN said he could not better answer the question than by reading the following telegram which he had received from Mr. Blair on the subject:—"Line cannot be finished before middle of January next. Contractor using every exertion to complete in time."

#### ORMOND MILITARY SETTLERS.

Captain MORRIS asked the Minister for Crown Lands, When the Crown grants for the lands awarded to military settlers at Ormond will be issued?

Mr. MACANDREW replied that the grants to military settlers were forwarded to the Crown Lands Office in Auckland some five years ago, so that they might be prepared. However, in consequence of the incorrectness of the plan, the grants were not prepared. He understood that a correct map was forwarded to that office in August last, and he presumed the grants were

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now being prepared. They had not reached the Land Office in Wellington, but he would make inquiries about them.

#### TAPSALL FAMILY.

Captain MORRIS asked the Native Minister, When an inquiry will be ordered into the case of the claims of the Tapsall family to certain lands in Waikato, with a view of giving compensation, as recommended by the Native Affairs Committee on the 7th August, 1877?

Mr. SHEEHAN replied that these claims had been considered by the Public Petitions Committee, and they had recommended that compensation should be given to the Tapsalls for any loss sustained by them in refraining from attending the sitting of the Court in Waikato. The recommendation of the Committee would be carried out during the recess.

#### WASTE LANDS SALE BILL.

##### ADJOURNED DEBATE.

Major ATKINSON.—I understood, when the House adjourned on Saturday, that the Waste Lands Sale Bill, the Financial Arrangements Bill, and the New Zealand Loan Bill would be debated together, and that a statement was to be made upon the Financial Arrangements Bill.

Sir G. GREY.—I do not think that was the understanding.

Mr. SHEEHAN.—The three Bills can be dealt with separately.

Mr. STOUT.—I understood that if the second reading of this Bill were carried the others might be agreed to, and then the House could go into Committee on these Bills.

Major ATKINSON.—I understood the object of each party was to save time. After the Government had explained their policy a debate could take place on this Bill, and the House need not debate the other two Bills. However, if the Government prefer that each Bill should be debated, we can do so. I move, That this Order of the day be postponed until after the Financial Arrangements Bill has been considered.

Mr. STOUT.—I certainly object to this proposal altogether. The understanding was that the Waste Lands Sale Bill should not be committed until the Financial Arrangements Bill was read a second time, when they could be taken together in Committee. Now the honorable gentleman wishes the Financial Arrangements Bill to be read a second time and go into Committee before we read the Waste Lands Sale Bill.

Major ATKINSON.—No.

Mr. STOUT.—The Waste Lands Sale Bill may be read a second time, and the committal postponed until the Financial Arrangements Bill has been read a second time, when the House can go into Committee on the two Bills. That would be a fair compromise.

Major ATKINSON.—I have no objection to that course, so long as we debate them together. I would ask leave to withdraw my motion on that understanding.

Leave granted, and motion withdrawn.

Mr. W. WOOD.—This is a rather inconvenient arrangement. The Bill may be so arranged that

it will not be injurious to the part of the colony I have the honor to represent. Until I get some promise I shall feel myself bound to vote against the Bill. If I make no speech now, and allow the second reading to be taken, I shall hold myself at liberty to have the Bill amended.

Major ATKINSON.—We shall be quite in order in taking the debate on the question that you do leave the chair?

Mr. SPEAKER.—It is quite competent to debate the whole question on the motion that I do leave the chair.

Question put, "That this Bill be now read a second time;" upon which a division was called for, with the following result:—

Ayes	...	...	...	30
Noes	...	...	...	26
Majority for	...	...	...	4

## AYES.

Mr. Baigent,  
Mr. Ballance,  
Mr. Barff,  
Mr. J. O. Brown,  
Mr. Bryce,  
Mr. Bunney,  
Mr. Carrington,  
Mr. Dignan,  
Mr. Fisher,  
Mr. Gisborne,  
Mr. Hamlin,  
Mr. Hislop,  
Mr. Kelly,  
Mr. Macandrew,  
Mr. Macfarlane,  
Mr. Montgomery,

Mr. Nahe,  
Mr. Rees,  
Mr. Rowe,  
Mr. Sharp,  
Mr. Sheehan,  
Mr. Shrimski,  
Mr. Swanson,  
Mr. Tairora,  
Mr. Thomson,  
Mr. Tole,  
Mr. W. Wood,  
Mr. Woolcock.

## Tellers.

Mr. De Lautour,  
Mr. Stout.

## NOES.

Major Atkinson,  
Mr. Beetham,  
Mr. Bowen,  
Mr. Burns,  
Mr. Curtis,  
Mr. Fox,  
Mr. Gibbs,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Johnston,  
Mr. Lumsden,  
Mr. McLean,  
Mr. Moorhouse,  
Mr. Ormond,

Mr. Reid,  
Mr. Richmond,  
Captain Russell,  
Mr. Seymour,  
Mr. Stevens,  
Mr. Sutton,  
Mr. Tawiti,  
Mr. Teschemaker,  
Mr. Wason,  
Mr. Williams.

## Tellers.

Mr. Fitzroy,  
Mr. Rolleston.

## PAIRS.

## For.

Mr. Bastings,  
Mr. Hodgkinson,  
Mr. Lusk,  
Mr. Pyke,  
Mr. Reynolds,  
Mr. Seaton,  
Mr. Wakefield,  
Dr. Wallis,  
Mr. R. G. Wood.

## Against.

Captain Kenny,  
Mr. Murray-Aynsley,  
Mr. Button,  
Mr. Fitzroy,  
Dr. Henry,  
Mr. Stafford,  
Captain Morris,  
Mr. Harper,  
Mr. Cox.

The Bill was consequently read a second time.

## DEFENCES OF THE COLONY.

Sir G. GREY laid on the table the following

correspondence between His Excellency the Governor and Ministers respecting the visit of Sir W. Jervois to the colony:—

## MESSAGE.

"NORMANBY, Governor.

"The Governor transmits to the House of Representatives the copy of a correspondence between the Governor and his Ministers on the subject of the visit of His Excellency Sir William Jervois to New Zealand for the purpose of reporting upon the best means of defending the principal ports in the colony from foreign attack.

"Government House,  
Wellington, 3rd December, 1877."

## No. 1.

MEMORANDUM for the Hon. Sir GEORGE GREY, K.C.B.

"The Governor presents his compliments to Sir George Grey, and requests to be informed by Ministers what answer they would wish him to send to the enclosed letter from His Excellency Sir William Jervois on the subject of his visit to New Zealand for the purpose of reporting upon the defences of the colony. "NORMANBY.

"Government House,  
Wellington, 24th November, 1877."

(Enclosure in No. 1.)

COPY of a LETTER from His Excellency Sir W. F. D. JERVOIS to His Excellency the GOVERNOR OF NEW ZEALAND.

"Government House,

"Adelaide, 15th October, 1877.

"DEAR LORD NORMANBY,—In accordance with my note of 18th July, I propose visiting New Zealand, to report upon defence of harbours, about the middle or the third week of December next, beginning at the south, and working northwards by Dunedin, Christchurch, Wellington, &c.

"It would greatly facilitate my movements if the 'Hinemoa'—I believe that is the name of the steamer belonging to your Government—can be sent to Hobart Town for me, and I would feel exceedingly obliged if you will do anything in your power to afford me this facility. I will let you know, further, as to the precise day on which I propose leaving Hobart Town.

"Meanwhile, please telegraph to me if the 'Hinemoa' can be sent for me.

"WM. F. DRUMMOND JERVOIS.

"His Excellency

"the Marquis of Normanby, G.C.M.G., &c."

## No. 2.

MEMORANDUM for His EXCELLENCY.

"Ministers present their respectful compliments to the Marquis of Normanby, and thank him for forwarding a copy of the letter from Sir William Jervois on the subject of his visit to New Zealand for the purpose of reporting on the defences of the colony.

"Ministers regret that, the services of the 'Hinemoa' being required here, it is not in their power to send that vessel to Hobart Town with a view of her being placed at the disposal of Sir William Jervois. "G. GREY.

"Wellington, 28th November, 1877."



## No. 3.

COPY of TELEGRAM from His Excellency the GOVERNOR of NEW ZEALAND to His Excellency Sir W. F. D. JERVOIS.

"New Zealand, 29th November, 1877.

"Government will be unable to send 'Hinemoa' to Hobart Town. Regret delay in answering. Please telegraph when you start.

"NORMANBY."

## No. 4.

MEMORANDA on Covering Sheet to Telegram.

"The Governor requests Ministers will inform him as to the answer they would wish him to return to the enclosed telegram. The Governor thinks it would be right to grant the request.

"N."

"Ministers regret that the 'Hinemoa,' as they have already said, is required for other purposes.

"G. GREY."

(Enclosure in No. 4.)

COPY of TELEGRAM received by His Excellency the GOVERNOR of NEW ZEALAND from His Excellency Sir W. F. D. JERVOIS.

"Adelaide, 29th November.

"Can your Government place 'Hinemoa' at my disposal during January, to visit your ports, commencing at Bluff?

"H.E. Sir W. F. D. JERVOIS,  
"Governor."

## No. 5.

MEMORANDUM for the Hon. Sir GEORGE GREY, K.C.B.

"The Governor presents his compliments to Sir George Grey, and, in reply to the memorandum of Ministers, in which they state that the services of the 'Hinemoa' cannot be given to His Excellency Sir William Jervois during the time that he is employed in examining and reporting on the defences of Dunedin, Lyttelton, Wellington, and Auckland Harbours, during the month of January, the Governor would point out that the services of Sir William Jervois and Colonel Scratchley were obtained through the Secretary of State at the request of the late Government [Memorandum, 17th May, 1877], on the understanding that the remuneration of Sir William Jervois and Colonel Scratchley should be at the same rate as that paid by the Australian Colonies.

"The Governor would observe that the harbours to be examined are large, and that it would be difficult, if not impossible, for the work to be properly completed without the officers employed having a special steamer at their disposal.

"The Governor would wish also to point out that some consideration is due to the position of Sir William Jervois as the Governor of a neighbouring colony visiting New Zealand not for his own pleasure, but at the request and for the service of this colony.

"The Governor would imply, from the curt answer of Ministers to the request made by Sir William Jervois for the use of the 'Hinemoa,' that they do not approve of the object for which he is about to visit the colony. Should

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such be the case, if Ministers will state their wishes in writing, the Governor will at once communicate with Sir William Jervois, and request him to put off his visit; but, if the work is to proceed, the Governor can conceive no service on which the 'Hinemoa' could be more properly employed, and Ministers have not informed him of any special services which would prevent her being so employed.

"The Governor would request a reply as soon as possible, as he must communicate with Sir William Jervois at once.

"NORMANBY."

"Government House,  
"Wellington, 1st December, 1877."

(Enclosure in No. 5.)

## MEMORANDUM for His EXCELLENCY.

"Ministers understand that two officers of the Royal Engineers are now in Australia, to report upon the best means of defending the principal seaport towns, those officers having been specially selected for the duty in compliance with an application from some of the Australian Governments, the arrangement being that, while so engaged, the officers shall receive salaries at the rate of £1,500 and £1,000 a year respectively, and shall have all their expenses paid.

"2. It is very desirable that the principal ports of New Zealand should be similarly reported upon.

"3. Ministers respectfully ask, therefore, that His Excellency will communicate with the Governors of Victoria and New South Wales, with a view of securing that the two officers shall, as soon as convenient, visit this colony for that purpose, this Government joining in the arrangement as to salaries and expenses.

"H. A. ATKINSON.

"Wellington, 17th May, 1877."

## No. 6.

## MEMORANDUM for His EXCELLENCY.

"Ministers present their respectful compliments to the Marquis of Normanby. They regret that the Governor should have regarded their reply to his memorandum respecting Sir William Jervois as being curt. They wrote amidst the hurry of a great pressure of business, and they intended that their answer should be in every respect courteous.

"2. Ministers were not aware, until they received the Governor's memorandum, that it might be in their power to dispense with the visit of Sir William Jervois to New Zealand; but the state of the finances of the colony at present is such that it is their duty to avoid expenditure wherever it is possible to do so. They feel satisfied that New Zealand could not at this moment incur any large expenditure on public works for the defence of the many harbours of the colony. They might, possibly, with but little warning, have to make provision for resisting an internal enemy who might prove much more dangerous than an external foe. The best means of providing against such an internal enemy is the expenditure of funds in civilizing the Natives, opening up the country by means of roads, encouraging settlement in Native districts, and otherwise promoting

friendly relations between the two races. They would, therefore, prefer to apply any funds available for defensive purposes to those objects, rather than to devote such funds to costly works meant for resisting a foreign enemy. For the latter purpose they trust confidently to the fleets of Great Britain, which they feel satisfied will never allow a foreign enemy to dominate in these seas.

"8. Under all the circumstances, therefore, whilst regretting that they cannot avail themselves of the valuable services of so distinguished an officer as Sir William Jervois, if it is possible, without any uncourteousness on their part, to delay his visit until a time when the colony may be in a better financial position, Ministers would feel greatly obliged to the Governor if he would make such a communication to Sir William Jervois as may be the means of postponing his visit to New Zealand.

"G. GREY.

"Wellington, 3rd December, 1877."

#### No. 7.

MEMORANDUM for the Hon. Sir GEORGE GREY, K.C.B.

"The Governor presents his compliments to Sir George Grey, and begs to acknowledge the receipt of his memorandum of this day's date, in which Ministers inform him that, in consequence of the financial condition of the colony, they advise the Governor to communicate with His Excellency Sir William Jervois, and to request him to postpone indefinitely his visit to New Zealand.

"The Governor will at once comply with the advice given to him by Ministers, but he must, at the same time, express his deep regret that they should have felt it their duty to come to such a decision, as he fears it is one which is little calculated to raise the credit of the colony abroad.

"The fleets of Great Britain will, no doubt, in the event of war, perform their duty, as they have always done; but it is manifestly impossible that England, even if she were disposed so to do, should keep sufficient ships in these seas to secure at all times her various possessions from the attack of small expeditions, or of a single ship or privateer; and it is in the Governor's opinion clearly the duty of each colony to make such provision as they may consider necessary for that purpose.

"The question is one of public importance, and the Governor will feel it his duty to lay this correspondence before Parliament without delay.

"NORMANBY.

"Government House, 3rd December, 1877."

#### No. 8.

MEMORANDUM for the Hon. Sir GEORGE GREY, K.C.B.

"The Governor presents his compliments to Sir George Grey, and requests that he will be good enough to lay the accompanying message, containing the correspondence on the subject of Sir William Jervois's visit to New Zealand, on the table of the House with as little delay as possible.

"NORMANBY.

"Government House,

"Wellington, 3rd December, 1877."

#### No. 9.

MEMORANDUM for His EXCELLENCY.

"Sir George Grey presents his respectful compliments to the Marquis of Normanby.

"2. The Governor has stated as his opinion that the question relating to Sir William Jervois's proposed visit to New Zealand is one of public importance, and that His Excellency will feel it his duty to lay the correspondence relating thereto before Parliament without delay.

"3. The Governor has, further, in pursuance of that intention, transmitted to Sir George Grey a message to the House of Representatives on the subject referred to, and requested him to lay that message on the table of the House of Representatives.

"4. Sir George Grey feels it, under these circumstances, to be his duty to obey His Excellency's commands; and he will lay the Governor's message before the House of Representatives on their meeting this evening.

"G. GREY.

"Wellington, 3rd December, 1877."

#### FINANCIAL ARRANGEMENTS BILL.

Sir G. GREY.—It will be in the recollection of the House that my honorable colleague, the Colonial Treasurer, who, unfortunately, is too unwell to be present in his place, stated to the House that a part of the policy of the Government, in fact, a leading principle, was to endeavour so to conduct the government of the country that no measure should be brought forward or perpetuated which might excite the cupidity of one part of the country and the envy of another. That statement, although embraced in very few words, will hereafter be regarded as a very memorable statement, and it embodies a maxim which I think all statesmen should follow—that there is nothing more desirable than that there should be no law in existence which excites the cupidity of one portion of the community and the envy and discontent of another. Cupidity is of various kinds. There is cupidity of rank, cupidity of power—it is, in fact, a passion which manifests itself in various ways; and I think the legislation and the government of a new country should always be so directed as, if possible, not to allow that passion to exercise itself among one class of the community to the detriment and the injury of another; because, undoubtedly, that portion of the community which finds itself in a position of inferiority—in a position which compels it to envy another portion of its fellow-citizens—must suffer a mental injury, injury of character, and thus a feeling of dissatisfaction will be engendered which for many years will not be cleared away. That is one point to which in this measure we have, to the best of our power, endeavoured to address our abilities, so as to put an end to a system which must have that effect, and which must continue to have it so long as the system itself exists. Then my honorable friend laid it down that another leading motive which would actuate us would be an attempt to restore a proper equilibrium between the expenditure and the revenue of this country. We felt that in truth that was a point which would exer-

cise a serious influence throughout the country against our public credit, if it was known that a proper balance did not exist between our income and our expenditure, and that it was our duty at the very earliest possible period to bring about such a desirable state of things. Now, during the short time we have been in office, it has been difficult for us to mature measures which would produce altogether that result; but I feel confident that the measure which I now submit for adoption by the House will have that effect. It may be said, and, I think, with some degree of justice, that such an important measure as this should hardly have been carried without an appeal to the constituencies; but difficulties to which I will not at present allude stood in the way. Those difficulties were of so serious a nature that they could not have been overcome without causing a delay, during which the want of equilibrium between income and expenditure would have gone on. Our debt is daily increasing, and the benefit which would have resulted from the immediate adoption of such a measure as we now bring forward would have been in great part lost. Therefore, against my convictions and my will, I have felt it my duty to press this measure on during the present session. What I have said will have led up to the conception I have in view, which is this: that, together with my colleagues, and supported by those friends in this House to whose assistance we owe so much, I shall endeavour to get the Land Fund of New Zealand made colonial property. There were great difficulties in the way of dealing with this question. There were difficulties created by jealousies, by the adherence to vested rights, and, I may say, the still greater difficulties resting upon a complete misunderstanding of the subject which prevailed throughout the colony. In truth, it was hardly known that the Land Fund was practically gone from the districts which claimed it. I say practically gone, because that is no theory. The colony had been led to believe, from the Estimates of the late Colonial Treasurer, that the Land Fund this year would only amount to some £740,000 or £750,000. Well, Sir, their attention was also distracted from that point by the fact of an attempt having been made to estimate roughly, very roughly, the Land Fund of a large number of the provincial districts, in fact of every provincial district in the colony, the result of which estimate was that, upon the whole, there appeared likely to be a deficit upon the Land Fund. And this very great mistake was committed: that, in those districts where it was almost certain that the Land Fund would be very small, it was made in some cases to appear likely to be considerable, and in those districts, particularly in one district, in which it was likely to be very large, it was excessively under-estimated. That altogether misled the public as to the real nature of the right that they had in the Land Fund of New Zealand. The problem was presented to them in such a form that it would take a man of ordinary intelligence some time to understand and master it. Then another fact was certainly concealed from the public, which

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was this: that, supposing the Land Fund to amount to only £743,000 a year, in truth it was all taken from the colony, because the estimated charges to be imposed upon that Land Fund amounted to £843,608; and then, from the small residue left, after making that estimate, it was proposed to take some £58,000 from the Land Fund of Canterbury and £109,000 from the Land Fund of Otago. Now, it must be apparent that under such a system the Land Fund would wholly disappear: at any rate, there would be little left to dispute about. Then the matter was attended with this uncertainty: that individuals accustomed to govern solely according to law must have had some difficulty in comprehending what their rights in that Land Fund were, because it was proposed to take from Canterbury, absolutely without the authority of law, the sum of £58,000, and in the same way it was proposed to take from Otago the sum of £109,000. Now, Sir, even if that had been done under the authority of law, it would have been a breach of contract, because, as I pointed out on a former occasion, all persons in Canterbury who had purchased land had paid for that land subject to the express condition that certain portions of their money would be returned to them; and I say it was deliberately intended to violate that contract.

Major ATKINSON.—No.

Sir G. GREY.—The honorable gentleman says "No," but I believe such was the proposal. When the honorable gentleman says "No," it may produce an impression that that was not the distinct proposal; but I say it was, or, at any rate, I will say that in my opinion it was; and I believe that in that opinion I shall be supported by the entire House. Well, Sir, we felt that the time had come when an end should be put to this system of dabbling in the Land Fund. We felt that the time had come when the people's rights should be ascertained by law. We believed, also, that the time had come at which the finances of the colony were in so perilous a position that it was impossible to restore the equilibrium between the income and expenditure of the colony by any other means than that of taking the Land Fund. We do not wish to follow out the financial policy of previous years: that is to say, we do not wish to issue Treasury bills in order to make good a deficit in the Land Fund. We do not wish to keep up an unfunded debt in the colony. We felt that that was a most vicious system, and we desired to bring it to a close. Now, Sir, I would next tell the House, because that is a circumstance we have to consider, that, under the system which has been in force up to the present time, and which will continue in force, if our proposals are adopted, up to the 1st of January, a constant deficit has taken place in the Land Fund in certain provinces: that is to say, the revenue on account of the Land Fund in some districts was totally inadequate to meet expenses incurred on account of the Land Fund. Therefore, while in some parts of New Zealand there have been land revenues largely enriching the population of those particular districts, there was in other districts a Land Fund which was not sufficient to support

the charges of survey and the other charges which were made upon it. The people of some districts are rapidly accumulating wealth, while those of others are every day getting more deeply into debt, and the whole of the people in the colony are taxed in order to pay the interest on that debt. You have forced the whole population to contribute to the revenue to make up for the deficits in the Land Fund of certain parts of the colony; and, thus, you have a population deprived of their Land Fund, and heavily taxed to make up a deficit in the Land Fund throughout the rest of the colony. Under that system a deficit will have occurred in the Land Fund of £118,000 up to the 31st of December. That deficit is to be carried forward to the next six months of the year, and that deficit we have to meet. Sir, it is evident that, under the system we wish the House to adopt, something will be saved for every provincial district from its Land Fund: that is to say, 20 per cent. of the proceeds of the land sales will be returned to the people of each of the various provincial districts for the purpose of carrying out public works. Now, the question we have to consider is, what effect this will have during the next financial year. That is the point with which I have to deal. I have already told the House that the Land Fund was estimated by the late Government at £890,525, this amount including both land-sale proceeds and licenses. The present Colonial Treasurer has increased that to about £1,100,000. The Land Fund up to date is £850,000, and before the close of 1877 it will probably amount to nearly £900,000. Now, we cannot believe, nor can we hope, that it will go on for the succeeding six months at the same rate. The sum estimated for the next six months, namely, £550,000, will, we believe, be reached, and that is the amount with which we have to deal. I have said that out of that amount the charges for six months will have to be taken, which charges, according to the estimate of the late Colonial Treasurer, amount to £320,000. But we believe that very considerable reductions may be made in those charges, and that a larger residue will be left. Then 20 per cent. will have to be taken from the gross proceeds of the land, to be divided between the counties and the districts. The remainder will be available in aid of the Consolidated Fund. Now, with regard to this 20 per cent. Under the new Financial Arrangements Act nothing is to be taken from the County Councils, Road Boards, or River Boards. All these are to be left in exactly the same position in which they were; but, inasmuch as so much of the Land Fund is to be paid into the Consolidated Fund, we propose that the whole amounts should be taken out of that, and that there should be no longer two payments made from two separate accounts. Then, the 20 per cent. which will be taken from the Land Fund will be treated as

surplus land revenue, divisible amongst the local bodies of the district in which it arises, and will be paid to the local bodies in addition to the subsidies which they at present draw. We propose to distribute this 20 per cent. in as nearly as possible the same manner as that in which the subsidies are given to the local bodies which now receive them. We thought it was not desirable in the first instance to disturb vested interests more than was absolutely necessary, and therefore we have left things much as they were before. We determined to let things run on in such a course that men's minds might not be disturbed to any greater extent than was absolutely unavoidable. The point that has made me doubt whether the proposed mode of distribution of this 20 per cent. is the best is this: I am inclined to think that it is extremely probable that this 20 per cent., when it is distributed amongst the local bodies, will not, in many cases, go to the objects for which it was intended. The object of saving this 20 per cent. and distributing it among the local bodies is, that districts containing land which is not yet available for settlement should have the benefit of the expenditure. We thought it was absolutely necessary that some funds should be provided which should be so administered as to secure the settlement of the country by opening up newly-settled districts; but still we fear that, when this 20 per cent. passes into the hands of the local bodies, it may too often be spent in existing centres of population, and not in distant places in which the inhabitants of the more settled portions of the country have no interest. Therefore the Government think it probable that next year they will bring down a Bill by which they will be enabled to assist those counties in opening arterial roads and constructing other works which will tend to promote settlement, upon the express condition that the payments out of Land Fund shall be devoted to the same purpose. We have not thought it proper to bring down such a Bill this session, because as yet we are entirely ignorant of the views of the people regarding it. But during the recess the feelings of the people on this subject may be ascertained, and we shall be better able to judge what is required next session. I need not detain the House much longer upon what is really a simple question, and a question involving very little of finance. It is supposed to be a very dark matter, which very few can understand; but really it is a question which men of ordinary intelligence cannot misunderstand if it is clearly put before them. It is quite certain that the Consolidated Fund must be assisted by receiving the amount of the land revenue which I have intimated will be handed over to it for general purposes. The result of this system will be, that at the end of the year the whole of the charges properly thrown upon the revenue of this colony will be met, with the exception of £138,000.

	Half-year to 31st December, 1877.			Half-year to 30th June, 1878.			1877-78.		
	£	s.	d.	£	s.	d.	£	s.	d.
<b>RECEIPTS:—</b>									
Consolidated Fund ... ..	1,131,580	0	0	1,131,580	0	0	2,263,160	0	0
Gold Revenue ... ..	36,000	0	0	36,000	0	0	72,000	0	0
Land Fund ... ..	900,000	0	0	550,000	0	0	1,450,000	0	0
	2,067,580	0	0	1,717,580	0	0	3,785,160	0	0
<b>Balances on 30th June, 1877,—</b>									
Consolidated Fund ... ..	£148,220	0	0						
Land Fund ... ..	115,646	7	9						
	263,866	7	9	...			263,866	7	9
	2,331,446	7	9	1,717,580	0	0	4,049,026	7	9
Deficit on 31st December, 1877 ... ..	118,694	7	1						
„ on 30th June, 1878 ... ..	...			138,462	17	1	138,462	17	1
	2,450,140	14	10	1,856,042	17	1	4,187,489	4	10
<b>EXPENDITURE:—</b>									
Consolidated Fund ... ..	1,197,273	0	0	1,197,273	0	0	2,394,546	0	0
„ Supplementary ... ..	24,270	0	0	24,270	0	0	48,540	0	0
„ „ Additional ... ..	15,924	0	0	15,924	0	0	31,848	0	0
Gold Revenue ... ..	36,000	0	0	36,000	0	0	72,000	0	0
Land Fund ... ..	321,604	0	0	321,604	0	0	643,208	0	0
„ Supplementary ... ..	19,387	10	0	19,387	10	0	38,775	0	0
„ „ Additional ... ..	390	0	0	390	0	0	780	0	0
Additional Grant for Education, Consolidated Fund ... ..	12,500	0	0	12,500	0	0	25,000	0	0
Land Fund, 20 per cent. of £550,000 ... ..	...			110,000	0	0	110,000	0	0
Temporary Advances to Land Fund from Consolidated Fund in 1876-77 ... ..	53,006	19	9	...			53,006	19	9
	1,690,354	9	9	1,737,848	10	0	3,417,702	19	9
Deficit on 31st December, 1877 ... ..	...			118,694	7	1			
Surplus Revenue distributable, 1876-77 ... ..	108,697	17	11	...			769,786	5	1
„ „ 1877-78 ... ..	661,088	7	2						
	2,450,140	14	10	1,856,042	17	1	4,187,489	4	10

We estimate that there will be a deficit of £138,000; but £118,000 of it is a legacy which has been handed over to us. With respect to that deficit of £138,000, I have no doubt it will be met. I have not taken into account the sum of £40,000 which we shall probably receive from the Feilding Settlement, nor have I taken into account the reduction which can be made in the expenditure. I have estimated the expenditure precisely as it is going on at the present moment. I have not taken into account those votes which will remain unexpended. I believe, therefore, that from these and other causes, so far from there being a deficit of £138,000, it will probably be found that there is no deficit at all. But, in order not to raise too great expectations, I have stated that there may be a deficit of £138,000. That being so, although it cannot be said that actual equilibrium will be restored during the next six months between our income and expenditure, I think as near an approach to it will be made as could possibly be anticipated. I think it will be admitted that there is a hope

Sir G. Grey

that a just balance of income and expenditure will shortly be attained. I think that the House must admit the importance of the two ends we have in view. The first is, not to excite the cupidity or envy of any part of the country. The second is, to restore that equilibrium between our income and expenditure which is necessary for the satisfaction of the people of the country and the maintenance of our credit abroad. In the new system about to be established, some will have to make a sacrifice for the good of their country—a sacrifice which will prove beneficial to it—but they will have the satisfaction of knowing that that sacrifice will not go unrewarded, but will evoke the gratitude of the entire people of New Zealand; and I believe that future times will say that in taking this course we have done that which was necessary to render the people one people—one contented population, working for common ends and for common objects. By no other means could anything of that kind be done. I trust that the House, and all those who are assist-

ing in inaugurating and in carrying out this new system, will hereafter look back with satisfaction at having done that which I am satisfied will earn for them the gratitude of the people of New Zealand, not only at the present moment, but for many years to come. With these remarks I beg to move the second reading of the Financial Arrangements Bill.

Major ATKINSON.—If we listened to the Financial Statement with surprise and disappointment, I take it that both our surprise and disappointment are doubled on the present occasion. We had a right to expect, after its having been clearly pointed out to the Hon. the Premier that the proposals of the Treasurer must result in a clear deficit of £240,000, and after the promise made by the honorable gentleman that he would really show us how we were to balance our revenue and expenditure—I say we had a reasonable right to expect that the honorable gentleman would have put before the House—not in the language of which he is such a master, language evidently put forth with the object of disguising his thoughts—plain figures that a plain man might read and understand. I state distinctly, with the knowledge I possess of the accounts of the colony, I am utterly unable to follow the honorable gentleman in the statement he has made, and I defy any other honorable gentleman, and those honorable gentlemen who are cheering the honorable gentleman in that way, and cheering myself with ironical cheers—I challenge them to get up when I sit down, and tell us what it means. Not one of them can do it. First the honorable gentleman says that one great object which he had in view was this: that, by making the Land Fund colonial property, he would elevate the moral nature of the population in the other parts of the colony where they had no Land Fund—he would not excite their cupidity. I must confess that I listened to that statement with very great astonishment indeed. I would just draw a picture: Take Marlborough, for instance—or, perhaps, I had better take Auckland: that will be a better instance still. The honorable gentleman has not told us what land revenue he expects to get from Auckland, but he tells us that he expects to get a total land revenue of £550,000 from the colony. If that is the total amount he is going to get all over the colony, he will not get more than £80,000 or £100,000 from Auckland—£70,000 would be nearer the mark. Of course I am taking the amount for the next six months; I am supposing that the estimate comes up to the total amount stated, which it cannot come up to if the honorable gentleman raises the price of land. Admitting that he gets £80,000 from Auckland out of the £550,000, and from Canterbury £250,000—for he will certainly get £250,000 in Canterbury, or, probably £300,000—if, I say, the total revenue for the six months reaches £550,000, then the people of Auckland will have the satisfaction of dividing among themselves £20,000—that large province of Auckland, covering half the North Island, will have that amount to divide—while the Canterbury people will have the pleasure of

dividing £80,000, having already received during the first half-year £800,000. And yet the cupidity of Auckland which now exists will entirely disappear by the plan of the honorable gentleman. This, after all, is but a question of degree. It is a difference between 100 per cent. and 20 per cent. The difference will be as striking and will produce as much discontent in the Aucklanders as it did before, the proportionate difference being just the same. Therefore the moral effect which the honorable gentleman supposes he will produce must absolutely fail. Then we come to the next effect which the honorable gentleman thinks he will produce—the balancing of the revenue and the expenditure. And here, Sir, I must confess that the honorable gentleman absolutely failed to make anything plain to me. The honorable member for Tuaepeka, no doubt, understands all about it. What I think the honorable gentleman ought to have done, and what I think the House has a right to demand, and the people of the country have a right to demand, is that the honorable gentleman should put down on each side of an account his expenditure and his revenue as estimated for the next six months. We had a right to demand a clean sheet, showing exactly how the honorable gentleman arrived at his calculations. How am I to argue that he will not have a deficit of £138,000 at the end of the next six months if I have not the basis upon which he forms his calculations? I say the House has a right to demand, and I trust his own followers, who are as responsible to the country as we are, will also demand, that that shall be produced by the Government. If I understood the honorable gentleman aright, he accepted generally, as the Government have always accepted, my estimate of both the revenue and expenditure. He misquoted, as the Treasurer did the other night more than once, the estimate of land revenue of the late Government. He twice stated the amount as £743,000, whereas I have shown, and honorable gentlemen can verify the statement by reference to the tables, that the amount is £890,000. I am surprised at the honorable gentleman making that statement. Now the honorable gentleman says—and here I would like to call the attention of the House to the exceeding accuracy of this Government—

Sir G. GREY.—The honorable gentleman's estimate is quite correct. I did not observe the figures when speaking.

Major ATKINSON.—I accept the honorable gentleman's statement, and withdraw what I have said. The Treasurer has told us that we shall get a million from the Land Fund; then he increased it to £1,100,000; and now the honorable gentleman has increased it to £1,450,000. If we stay here a week longer it will, no doubt, be increased to two millions, and then, no doubt, we shall have that equilibrium of which we hear so much. I merely wish to point out the great accuracy of this very accurate Government, which, some five or six weeks ago, had thoroughly mastered the position, and, as stated by the Treasurer, had devised a thorough and satisfactory system of finance, which would not

only satisfy the House and the public, but the public creditors at Home. Having thoroughly mastered the financial situation and devised that system some six or seven weeks ago, it is a little surprising that the honorable gentleman should have been so vague as he has been to-night, and so inaccurate as I have already shown. I accept the honorable gentleman's own figures; and let us see how we can work them out. The honorable gentleman says we are to have a Land Fund for six months of £550,000. Out of that, he has to pay away 20 per cent. to the districts. That will be £111,000 out of it, which will leave him £439,000 to the good. Of that amount, he has to pay £322,000, one-half of the charges—£644,000—on the Land Fund for the year. But he tells us he is going to reduce these charges very much. We shall see when we come back next year. The only possible part of these charges which he can reduce is the Survey Department, and I say that, if we reduce that, it means a stop to settlement, or it means the confusion which we have already been suffering in some parts of the colony, and an enormously increased expenditure in future years. Those estimates of ours for survey were prepared with very great care by the Surveyor-General, and were cut down to the very lowest point that he thought would be safe in order to carry out what he knew was the absolutely necessary work of the country. The late Government having taken off all the charges on the Land Fund except the charges for interest, survey, &c., the House will be able to see what value is to be attached to the proposition to reduce charges. I assume, therefore, that £322,000 will practically have to be expended during the last six months of the year, so that all the honorable gentleman will receive into the Treasury in aid is £118,000. Now, I will ask you to consider this: The honorable gentleman has accepted my statement of revenue and expenditure, with this reservation: that he hopes to make very considerable reductions in the expenditure. When in opposition he saw his way to make an immediate reduction of £100,000, but now he only sees his way to hoping to make some reduction during the next six months. It was an absolute certainty before, but now that he has attained to power and responsibility it has dwindled into hope. By next session I think it will have dwindled into the expenditure we proposed to make. Then he has told you—and I do not think he has acted quite fairly in so doing—that our estimate of land revenue during the first six months of this year will fall short by £118,000. But we could have told him that, in Auckland alone, the deficit amounts to that. We never expected to make any sales in Auckland during the first six months, because the surveys would not be ready until the next six months. So that when the honorable gentleman says we leave him a deficit it is not fair, because our calculation was for the year, and we knew that the sales could not take place during the first half-year either in Taranaki or in Auckland. I say that, if the honorable gentleman pushes on the surveys as we were pushing them on, Auckland will yield very nearly the amount we estimated, and possibly more.

*Major Atkinson*

To go back again, the honorable gentleman accepts my estimate of revenue and expenditure, but he rejects my proposition to balance the accounts by taking £167,000 from the Otago and Canterbury Land Funds; and to this deficit must be added the £30,000 which, through the rejection of the capitation clauses in the Education Bill, has also to be made up. There will therefore be a deficit of £200,000 to provide for. How does the honorable gentleman propose to meet that? Upon my estimate of revenue and expenditure, through the alteration which the honorable gentleman proposes to make by taking over the Land Fund, there will be, so he tells us, a deficit of £118,000 on the 1st of January next. In order to produce an equilibrium between the revenue and expenditure, he has, therefore, got to show us that by taking the Land Fund he will get £318,000. Now I call upon the honorable gentleman to show us that. I say that the House and the country have a right to demand it. I call upon the honorable member for Akaroa and the honorable member for Nelson City (Mr. Sharp)—whose only reason for supporting the Government is that they will equalize the finances—to insist upon the Government telling them how this deficiency of £318,000 is to be made up. The honorable gentleman, by his own figures—except the great saving he is going to make upon our estimate of expenditure in the Survey Department—only claims to receive from the Land Fund £118,000 to meet this deficiency of £318,000. Yet I am told that this great scheme is for the purpose of equalizing the accounts. The honorable gentleman has failed absolutely and entirely to show us how this end is to be accomplished. Surely this House, consisting of business men—men responsible to the country—is not prepared to part without hearing from the Government some definite proposal as to how this deficit is to be made good. On the estimates of the honorable gentleman, supposing he gets this enormous Land Fund of £1,400,000 or £1,500,000—something like half as much again as it has ever been before—he will be absolutely short £200,000. This is entirely without the Supplementary Estimates. The honorable gentleman brought down those Estimates as amounting to £112,000; but, as I pointed out, he charged in that sum £64,000 already written off. Then there are those enormous additional Supplementary Estimates which are coming down; and there are those provincial liabilities, which I am bound to suppose they will submit to us, because the Colonial Treasurer has charged them against revenue in the Financial Statement, and has used them to show what is the daily expenditure of the colony. We know that it is a simple absurdity, but still I am bound to suppose they are going to be charged against revenue. I differ from the honorable gentleman to the extent of £400,000 out of £600,000—and the Public Accounts Committee are now inquiring into the matter, and their report will show who is correct—but, according to the honorable gentleman's own statement, this will make a further deficiency of £800,000. The Government will therefore be short to the amount of £800,000. And this is a

clear statement! This is balancing the accounts of the colony! This is the statement that a plain man could understand! The honorable gentleman says we made a proposition to take £167,000 from the Provincial Districts of Otago and Canterbury without law. What does he mean by that statement? It is impossible for us to do so without law. I might as well say that the honorable gentleman is going to take £550,000 from the provinces without law. We stated our financial propositions in order that the House might give us authority to carry them out. I was rather interested by the honorable gentleman's remark relating to the sum of £40,000 to be received from the Feilding Settlement. I do not know what he proposes to do with the money, but the statement was rather interesting. I thought it was already settled by law. I hope the honorable gentleman in his reply will be a little more definite, and will tell us what he is going to do with that sum. Apparently he is going to use it to get rid of the deficit. The honorable gentleman says that practically we had already taken the Land Fund. Now, between the 1st January and the 30th June last we distributed in Canterbury £350,000 of Land Fund. During the first six months of the present financial year at least £600,000 will have been distributed in the various provincial districts, principally in Canterbury. If the honorable gentleman said, "It is very unfair to pay those large sums to Canterbury—I mean to take Canterbury's money," I could have understood him; but it is not a fact that the whole of the Land Fund was taken. Nor is it a fact that it was immoral, as the honorable gentleman puts it, to take the £167,000 in the way that I proposed while it is perfectly moral to take £300,000 in the way the honorable gentleman proposes. We were both going to do it by law, and the people of Canterbury will want a great deal of persuasion to make them believe that my proposition to take £58,000 from them was an immoral act, while the Premier, who is going to take £300,000 by exactly the same process as I proposed, is acting in a manner which is the height of morality. No, Sir. The taking of the Land Fund must be defended on quite different grounds from that, and I was very sorry indeed to hear the honorable gentleman attempt to defend it in that way. I was also sorry to hear the honorable gentleman say that he thought we ought to appeal to the people before we did this, because the honorable gentleman this session, last session, and the session before has demanded that the Land Fund should be instantly seized, without any notice to anybody, stating that this House was quite competent to do it—that it was doing a great injustice to the people of New Zealand in not there and then seizing the Land Fund. Now we are told by the honorable gentleman that we ought to have gone to the country first. Not a word did we hear about that when Mr. Wood moved his resolution this session, and when Mr. Whitaker moved his resolution last session. I think I have shown clearly, from the figures of the honorable gentleman himself, that, supposing he gets everything he says he is going to get, there will be

a deficit of £200,000, without the Supplementary Estimates. I repeat this point again, because it is of such vital importance to the colony. I hope the honorable gentleman will tell us distinctly how he is going to meet this deficit of £200,000, which is not in any way caused by the miscalculations of the late Government, as I have shown. Now for a few words with regard to the Bill itself. I may say, with regard to clause 5, that the distribution of rates is not at all as advantageous to the counties as under the old Act, and for this reason: that under the old Act the county got a subsidy, as long as the Road Boards levied a rate, whether the county levied a rate or not: that is to say, if one rate was levied either by the County Council or by the Road Boards within the county, then the Government paid £2 for £1. But under this proposed arrangement—and I should like to call the attention of honorable gentlemen to this—if the Road Boards strike a rate and the county does not, then the road districts and the county together will only receive a subsidy of £1 instead of £2; so that, unless a double rate is struck—one by the County Council and one by the Road Boards—they would only be paid £1 for £1. The honorable gentleman should have told the country that fact when he made his proposal. Then, with regard to the distribution of the 20 per cent. there is also a very great difference. The object the honorable gentleman has in view, of getting the money spent in the out-districts, will by his own plan be entirely defeated, because under the Counties Act the surplus land revenue was distributed according to area and according to rates, while under the present proposal it is only to be distributed according to rates; so that the 20 per cent. will invariably go to the populous districts: it is to be divided upon the subsidies, while under the former system it was divided according to area and rates also. But, Sir, these are, of course, only Committee objections, to which I merely wish to call attention, and to meet which no doubt alterations can be made in Committee. My main object was to speak to what is really the important question now before us—namely, the equalization of the revenue and the expenditure; and, as I have shown, the Premier has entirely failed in that, and has not approached the task at all. All he has done is to leave my proposition exactly where it was, except that he has determined to abandon the £167,000, and has made no provision whatever for the £30,000 which we have to provide for under the Education Act. Nor does the honorable gentleman make any provision for the £118,000 which he loses through giving up to those provinces the Land Fund which the previous Government had calculated on for the year, and which we know could not possibly come within the first six months. I trust the honorable gentleman will answer these points. I trust he will immediately have a statement prepared, such as, I remember, he was always calling out for when in opposition, showing clearly the revenue and expenditure on each side of the account for the six months. When he has done that, it will be seen whether there has been any juggling, or whether I have twisted the



accounts or not, and it will be seen, also, that there is a deficit of £200,000 which will be absolutely unprovided for.

Mr. REES.—The honorable gentleman who has just sat down challenged honorable members on this side of the House to prove the disparity of his own figures and the correctness of those which have been put forward from the Ministerial benches. But if any argument were needed by the House and the country to show that this taking of the Land Fund as colonial revenue is an absolute necessity to the existence of the credit of this country, the remarks which have fallen from the honorable gentleman this evening abundantly supply that argument. No stronger arguments could possibly be adduced in favour of this step than the figures he himself has quoted. He has stated that during this year £600,000 of land revenue has been distributed to Canterbury. Now, £600,000 has been distributed to one province, while the country has been run into debt to the extent of £120,000 on account of the other provinces. A province already enriched has had this enormous amount of money paid, while the country has run £120,000 into debt on account of the others.

Major ATKINSON.—I did not argue against the taking of the Land Fund.

Mr. REES.—I am very glad that the honorable gentleman did not argue against the Land Fund being taken, because if he supports the taking of the Land Fund he is bound to support the present Ministry and help to carry their Bills through. That is the absolute logical conclusion. Whatever faults he may find, however captious he may be, whatever holes he may seek to pick in the Ministerial Statement, he must see plainly that the only thing to save the public credit of New Zealand, the only thing to stop it from sinking deeper and deeper into the mire of Treasury bills and debt, is the absolute taking of the Land Fund from a definite period. I am very much obliged to the honorable gentleman for stating what he has done, because it must now be seen that, so far as these Bills embody the policy of the Government, the honorable gentleman, instead of being the leader of the Opposition, is a leading supporter of the Government. The honorable gentleman cannot say one thing one moment and another thing the next moment. To be a politician he must adhere to some definite statement, and, after his own figures to-night, and the admission that the taking of the Land Fund is the only thing to save the country, he must support the Ministry. I will refer to a few figures to show the absolute necessity for this step, so that there can be no mistake about it either here or outside the walls of this Chamber. In the Province of Canterbury there has been received from land sales between the 1st July and the 24th November £661,000. Taking the receipts for the period between the 24th November and the 31st December, say, five weeks, at £100,000, that would make the land receipts for the Province of Canterbury, for the six months from the 30th June to the 31st December, £750,000. Of that sum there is against the Canterbury Province only £61,000, which is paid

as part of the charges of the colony. That leaves a sum of £688,000 which the honorable gentleman, while he has been in power, will have allowed the colony to have paid over to the Province of Canterbury in the six months, while the colony itself is in want of money in every direction for the prosecution of public works, and is actually running into debt at the very same time to the extent of between £120,000 and £130,000 in Treasury bills, or, what is equivalent, borrowed money. That has been the honorable gentleman's policy, and that, unless the present Government had come into power and had taken a bold and decided step, would have been his policy, he tells us, during the remainder of the year. According to the honorable gentleman's own statement, first of all there is for the first six months £120,000 deficiency on account of other provinces. He shows that, of £550,000, within the last six months, £300,000 went to Canterbury. Well, for the second six months there would be only £250,000 from all the other provinces, and he will see from his own tables that £250,000 will not pay the costs for the six months. The total cost for the six months in connection with the whole of the Land Fund for all the provinces will be £322,000. Well, where is that amount to come from, if Canterbury is to have £300,000 out of £550,000? If he will show me how, out of the balance of £250,000 between £550,000 and £300,000, he is going to get £322,000, I shall be very much obliged to him. It cannot be got, and the honorable gentleman must see it. Besides, Canterbury would be a large subscriber, and in all the other provinces there would still be a deficiency which would have to be made up by borrowed money. The next effect was this: that, while Canterbury and Otago had large balances, the colony would be worse off than ever. When I say that, I mean that Otago itself has barely enough, but Canterbury would have much more than enough. While the whole colony would have increased its debt to the extent of £200,000, Canterbury would have distributed amongst its counties and Road Boards £840,000. That was part of the honorable gentleman's scheme of finance—that, while the whole colony was drifting into discredit, the Province of Canterbury was getting richer and richer. The honorable gentleman said the Premier made a mistake in relation to the sums he mentioned; but, Sir, the Premier only goes upon the Estimates of the honorable gentleman himself, and, as the honorable gentleman was arguing in favour of his own figures, it followed of necessity that he was arguing that the calculations of the Premier were absolutely correct. If, however, we get £250,000 more money than is estimated, both will go up, but the Estimates of the present Premier will go far nearer the mark than the Estimates of the honorable member for Egmont. But the honorable member for Egmont must know that his Estimates are not correct, and that Auckland, Taranaki, and Wellington cannot yield the amount of land revenue which he estimated to get from them. He has set down the Auckland revenue at £120,000, but no one except the honorable member for Egmont believes that,

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while in the first six months Auckland has contributed £500, it will contribute £120,000, or make up the balance of £120,000, in the next six months: but, even so, Auckland would be better off, and the colony would be better off, under the proposals of the present Colonial Treasurer than under the scheme of the ex-Colonial Treasurer. I believe if the Land Fund is taken it will equalize matters. Let us look at Canterbury, for instance. Supposing that Canterbury during the last half of the year received a sum of £350,000, and that the charges on her Land Fund are £61,000, the 20 per cent. taken off £300,000 will be £60,000: that will leave a balance of £180,000.

An Hon. MEMBER.—You are going to take from Canterbury £180,000.

Mr. REES.—Yes. Take £180,000 from Canterbury for the safety of the whole body-politic. And if Canterbury receives £400,000 we shall take £75,000 more, so that the public purse will be relieved to the extent of £225,000; and, when we remember that during the first half of the year we have distributed £680,000, it is not very much that the colony should ask for £255,000 when it finds itself in a sinking condition. And, Sir, this is the only proposal which can save the colony. I am sure that even honorable members from Otago, when they look at the figures, will see that the only possible thing which can save New Zealand is to take the step the present Ministry has proposed. Of this I am sure: They will be supported by this House, even by those who believe that the provinces should retain their money; while in all the provinces, north and south—even in the Provinces of Canterbury and Otago, when men come to examine the facts and figures brought forward by the Colonial Treasurer—they will be supported, for all must see that the only avenue of safety lies in taking the Land Fund. If the constituencies were tested at once they would readily agree to this plan being adopted. I shall not follow the honorable gentleman in his calculations—it will remain to be seen which are correct; but I would say this: Whatever they may work out, they will not realize cash, while taking the Land Fund will. If the statements of the Colonial Treasurer are correct we shall find that there is £150,000 more in the Treasury than there would have been if the honorable member for Egmont's Statement had been accepted. The honorable gentleman in his Ministerial Statement said, "We should release past debts." It was not to be a contribution taken by force of law, but merely a paying of past debts. Here is what he says:—

"As respects the Provincial Districts of Canterbury and Otago no such argument can be urged, and we propose to charge the Land Fund of Canterbury with a sum of £58,000, and that of Otago with a sum of £109,000, being in each case one moiety of the amount by which the Land Fund of those districts has been aided."

He did not say it was to be taken by law. He was so accustomed to doing things outside the law that he seemed to think he stood above the law altogether, and must have fancied that the law was no longer necessary. The will of the Ministry was to be law. However, that sort

of thing has now gone by, and the people will now see that, instead of a manipulation of books and accounts, instead of a "thimble-rigging" finance, as it has well been called, which left us each year deeper in debt than before, we shall have a solid finance; and that, instead of having to meet a deficiency each year, we shall have a surplus in cash with which to enter upon the operations of the year. If any honorable gentleman will take the trouble to go into the thing, he will soon see that the proposal of the Government is a sound one, and I believe the districts most affected will absolutely coincide with the views of a majority of this House.

Mr. BOWEN.—Sir, the honorable gentleman who has just spoken ended by saying that this year we should begin with a real actual surplus in cash in consequence of taking the Land Fund.

Mr. REES.—I did not say this year.

Mr. BOWEN.—Well, some time or another. Now, the Premier stated that there would be a deficit at the end of the year. We are dealing with the estimate for the present year, and it is important for us to know how the acknowledged deficit is to be made up. The honorable member for Auckland City East spoke of the soundness of the finance, but I never previously knew or heard of a financial scheme in which a deficit had been acknowledged but no proposal made to meet that deficit. By-and-by, we are told, there will be some means of balancing our account, but there is no proposal whatever by which the deficit is now to be made up. With regard to the proposal of the late Government to take £58,000 from Canterbury and £109,000 from Otago, it has been asserted again and again, and the honorable gentleman who last spoke repeated it, that it was the intention of the Government to take that money without the authority of law. I should like to know how the Government could do it without the authority of law: perhaps the honorable gentleman will tell us. How could the money be got at without the authority of law? Does the honorable gentleman not know that it is impossible to spend a farthing without the authority of law? Does he not know of the existence of such officers as the Commissioners of Audit? And I should like to know whether the Appropriation Act, in which the proposals of the Government have to be embodied, is not, when passed, a law. It is quite true that the Government intended to take this as a contribution on account of the previous expenditure on public works in the respective provincial districts, because we held that the Land Fund ought only to be devoted to public works; and, Sir, whether the General Government or the Provincial Government carried out those works, we held that they were still public works done to open up the districts from which that Land Fund was to be taken: therefore it was legitimate to take from the Land Fund that money when it was wanted. As to the present proposal, I can only repeat what the honorable member for Egmont said, that it will take a great deal to persuade the people of Canterbury that a proposal to take, by one form of law, a sum of £300,000 is more satisfactory than to take, by means of the Appropriation

tion Act, a sum of £58,000. There is no doubt that some different arrangement must have been made sooner or later in dealing with the Land Fund. There is no doubt about that; I am not prepared to deny it; but, at the same time, I have always stood out against that being done until there was an opportunity of consulting the constituencies on the subject. I would also say this: that, in whatever way we deal with the Land Fund, there ought to be a guarantee that it shall be spent for the purpose of settling the country. Under the system now proposed there is no guarantee of that kind, and there is a great temptation to the country to devote this money to the ordinary purposes of Government. If the Land Fund is not set aside for the purpose which I have described, there will be danger, year after year, of looking upon it, as they have done in New South Wales, to the great mischief of that colony, as ordinary revenue. There is one principle in the new Land Sales Act—I believe we are to consider this Act together with the Financial Arrangements Act—with which I cannot agree. It was reasonable to accept a limited application of the principle, so long as we were but incorporating provincial laws to which men have become accustomed in different districts, but I protest against its being made the general law of New Zealand, that all lands throughout the country should be put up to auction. I know there are some honorable members—the honorable member for Dunedin City, Mr. Stout, for instance—who believe that there is no other proper way of disposing of the waste lands of the Crown than sale by auction; but I believe it is the worst possible system. It is a system which, instead of leaving the *bond fide* settler such money as the State can afford, to utilize his land after paying a reasonable price for it, will take that money out of his pocket and put it into the pocket of the State itself. It is, further, giving the capitalist an overwhelming advantage over the *bond fide* settler. I believe that, while a reasonable price should be put upon the land to secure its being opened up and settled, all money beyond that taken from the settler is a detriment to the country. I believe, also, that the *bond fide* settler will have no chance whatever, once auction sales become the rule throughout the country, and when there is no other way for him to obtain land. It may be said that in the United States the lands are put up to auction; but there the land is almost unlimited in quantity, and there is practically no competition, except in the case of town and suburban lands. It is a notorious fact that there the land when put up is knocked down to the man who has gone and picked it out. There is no "raising upon it," as the expression is, because there is no competition. In the United States there is also a check, though not a very salutary one, which is known as lynch law, but which we scarcely want to see introduced here, to enable the *bond fide* settler to obtain the land. It is well known that in the United States no speculator dare bid for the land against the settler, because he would very possibly be shot if he did. We do not want such a check here; but I am quite satisfied

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that no such forms of check as are provided in this Bill, and which, no doubt, are the best we can make, will have the effect of preventing the speculator and the large capitalist from defeating the object of the *bond fide* settler who attempts to get a piece of land. Another point is this: that the system of auction sales will enable the speculator to suck the brains of the farming man who has carefully chosen a piece of land which he knows is of value. That will be the case all over the country under this Bill. I believe these two main alterations in the law will have a most pernicious effect in New Zealand—namely, that of making the Land Fund general and not specializing it for opening up the country, and that of putting up the whole of the lands throughout the country for sale by auction. There is another policy also foreshadowed in this Waste Lands Bill. It is that of classifying the lands. I do not believe there can be such a thing as a fair and just classification of the land, and the idea is a fallacy in itself. I think it would be far better to leave the matter as it stands. We do not want all the best and richest land in the country to be run up in price, and given to the man who can pay the highest price for it. We want all men who desire to settle on agricultural land to be able to get hold of a piece of land at a fair price. I think the system of classifying the land is a mistake, because it cannot be so classified that one class will not include land of another class. But, even if the lands were easily classified, the result would only be to put the whole of them into the hands of those who can pay the best price for them at the time, and those are often the very men who will buy the land for speculative purposes. These are the main reasons for which I absolutely object to the general policy of these measures; but I object further, as a southern man, and especially as coming from a particular provincial district, to the change being made thus precipitately at the very end of the session, and before there has been time even to make ready for so immense a change. There is no doubt that the large land sales which have occurred during the last year in Canterbury were carried out on the faith that, at any rate until some notice was given, the Land Fund would be spent in opening up the country in which the land was situated.

Mr. SHEKHAN.—So it will.

Mr. BOWEN.—Yes, up to the 31st December; but it is a very short notice to say that an Act shall be passed on the 4th or 5th of December which shall alter the whole system of land laws on the 31st December. That is the shortest time that I have ever heard of within which to effect a great change in the territorial and financial policy of a country, and especially when it so seriously affects a particular district which has administered its land laws in a certain way on the faith of those land laws being allowed to stand. There are one or two other parts of the country also where I think it will be found that the proposals now being made will be very injurious. I mean those parts of the country where the land is very poor, and where there is no chance of its being opened for settlement

for a long time if the price is fixed at £1 per acre. I do not think the country is prepared for such a cast-iron rule—such a law of the Medes and Persians—as that no land throughout the whole of New Zealand is to be sold at less than £1 per acre. There is a large part of Nelson which will be absolutely closed from settlement under this law, and there is also a large part of Auckland and other portions of the North Island which will be similarly affected, and will be left for that depasturing of sheep which has been so much talked about as a disgrace to the country. To my mind the depasturing of the waste lands of the Crown by sheep is one of the best things that can be done until the country can be settled, and every encouragement should be given to it; but the sooner we settle the country, and the sooner the whole of the land passes into the hands of private individuals, the better for the colony. I believe the happiest day for New Zealand will be when there is not an acre of Crown land left, and when the whole of the Native title is individualized either in the hands of Europeans or of the Natives themselves. I believe all these lands being left as waste or Crown lands is an infinite mischief to the country, and will remain a very great mischief in spite of any price we may get for it. I do not think it matters much what price the State gets for its land so long as it is reasonable and will enable the country to be opened. If a particular part of the country will carry a large population, it should, for that reason, have more money expended in opening it up, and should therefore have a higher price fixed for the land there; but where it is barren waste land it will require less to open it for settlement, and therefore the selling price should be lower. It is better that the land should be sold now and at once, at a reasonable price, than that it should be left waste in order to obtain a problematical price at some future date, probably from the speculator and the man of wealth, who has made his money elsewhere than in the colony, and can pay a high price for the land. The Hon. the Premier said that the 20 per cent. of the land revenue which was to be handed over to the districts was to be distributed as at present. But the Bill before us provides for a totally different distribution. Allusion has already been made to the difference between the Government proposals and the law which now exists, and all I can say is, that it is a change that will absolutely starve the outlying districts and wholly stop settlement in them. The money is to be distributed according to the rating power of the districts, and the consequence will be that in the very districts where it is absolutely necessary to make new roads there will be scarcely a penny to spend, because the rating power is so small. I do not know why the arrangement which previously existed has been abandoned. It was not perfectly satisfactory, but it was certainly far more satisfactory than this. It was a system under which there were two modes of calculating the ratio of distribution—one by area and one by rating power—and I think it was a far fairer system than the proposal to give the money solely on the rating power, which must, as I

have already said, retard settlement in the outlying districts. I have made a few notes of what the Premier said, but, as his speech has been fully answered by my late colleague, I will not detain the House longer. Little as I desire to delay business at this late period of the session, I did not feel justified in voting upon this question, and especially upon the change in the land law, without stating the reasons for my vote.

Mr. GISBORNE.—I rise merely to draw attention to a point in the Financial Arrangements Bill on which I think the Premier did not make himself quite clear. Before referring to that, however, I may say, on the general subject, that I have to repeat my regret that the Government have not been able to give us an estimate of the probable receipts under the new policy for the six months from the 1st January next—in fact, that they did not make a sort of budget for six months. If we had that, we could, I think, deal more satisfactorily with this Bill and also with the Waste Lands Sale Bill. The present Premier and the late Premier already differ by about £70,000 or £80,000 as to the main deficit; but there is another source of deficit to which they did not refer. I am not at all sure that the estimates of the receipts of the late Colonial Treasurer will be fulfilled. I am not sure that the Customs will keep up as well as the other sources of revenue. Therefore the less we get than the estimated receipts the greater will be the deficiency at the end of the year. But, generally, I prefer this Bill to the proposal of the late Colonial Treasurer, because there is a definiteness and a finality about the Bill which I failed to see in the proposal of the honorable member for Egmont. His proposal simply amounted to this: "Oh, the colony has a deficiency of so much; I see that Canterbury has some surplus cash; I will pounce upon it." That is invidious and unfair. He brought a retrospective bill against all the provincial districts, and he only insists upon payment in the case of Otago and Canterbury. If I were a settler of Canterbury or Otago I should prefer a Bill of this kind. Under the proposals of the honorable member for Egmont I should feel like Damocles—I should feel that a sword was constantly hanging over my head. I know that the honorable gentleman would have to carry out his proposals in accordance with law, but a Treasurer with a majority in the House can soon get a law passed. I think the honorable member for Egmont was in error in saying that this Bill puts the County Councils in a worse position than they were in last year because they will not be entitled to any subsidy if they do not levy rates. If he looks at subsection 1 of section 5 he will see that there is to be paid "to each County Council a sum equal to one pound for every pound of general rates so received by such Council, or equal to one pound for every pound on the total of the sums so received by all the Road Boards or parts of Road Boards within the county, whichever of such two sums is the greater." That is an exact transcript of the present law. If the counties do not levy and the Road Boards do, the counties will get an

equivalent of the Road Board rates. But I wish particularly to draw attention to the 7th section, to which the Premier referred. I think the honorable gentleman is mistaken in saying that the present Bill maintains the existing law. Under the existing law the surplus of 20 per cent. would be devoted to the counties alone—not to the counties, Road Boards, and River Boards. It also would be given to the counties in this proportion: Three-fifths according to area and two-fifths according to rates. This Bill proposes to make a very different arrangement. It proposes that 20 per cent. shall be distributed among the several counties, Road Boards, and River Boards according to the rates received by each of those bodies. There are three objections to that. If you wish works of a more general and larger character to be executed by local bodies it is better to give the surplus to the counties, on condition that it shall be properly applied to the outlying districts. I am not enamoured of the sixty-five counties we have in existence—I do not believe they will do as much work as the nine provinces; but I should like to prevent the risk, the certainty, of applications being made *ad instantum* next year, as they have been this year, for the construction of local works of which this House knows nothing. There is another objection: In the outlying districts there is a greater extent of waste land unpurchased. These districts contribute more to the land revenue than the settled districts. And how do you return the localized proportion to them? According to their rating power, according to what they have less of—settlement. The third objection is, that these outlying districts require roads and public works more than the settled districts; and yet you give them less! I hope, however, the honorable gentleman will introduce some amendments in Committee which will obviate these evils. The 20 per cent. of localized land revenue should not be divided in dribblets to these local bodies. It should be given to the County Councils on condition that they should spend it in the road districts in proportion to the amount of Crown lands which these road districts have sold during the year. I approve of the Bill generally, but I hope the suggestions I have thrown out will not be lost sight of when the Bill goes into Committee.

Sir R. DOUGLAS.—The increase in the price of land practically means shutting up the outlying districts of Auckland altogether. If the price of the land is to be fixed at £2 an acre there will be no necessity to tell those districts that they will get 20 per cent. back, because if no land is sold there will be no 20 per cent. I entirely concur in the views of the honorable member for Totara. All moneys distributed to the counties should be distributed according to the extent of Crown lands in those districts. The effect of the Bill, however, will be this: the larger the area of Crown land the worse the condition of the country—by so much is it worse off than the country in which the land is all taken up. Under the present system those counties which have no land at all get nearly all the rates and subsidies from the provincial dis-

trict. Under this Bill the same thing will occur. I do not feel altogether satisfied with the Bill for these reasons, and unless it is altered in Committee I shall vote against it at a subsequent stage.

Mr. GIBBS.—I refrained from expressing my opinion—I might almost say, my protest—against the Land Sales Bill upon its second reading, because I felt that this Bill was so intimately connected with it that it would be better to defer any remarks until the present Bill came under discussion. There is one point in the Bill regarding which there is some little doubt. Section 6 states that 20 per cent. of the land revenue is to be paid to each district. The Premier cleared up a doubt in my mind as to the meaning of the word "district." It seems it is to be defined as "county." But there was one remark made by the honorable member for Marsden which applies to my district with as much force as it does to his. By raising the price of land to £2 an acre the sales of land in the county in which I reside will be almost stopped, therefore there will be no Land Fund, and the 20 per cent. will be no concession. I desire here, in connection with the Waste Lands Bill, to enter my protest against the policy or the expediency of raising the price of land. In Nelson the sales of land will be almost entirely put a stop to, and particularly will it affect a large number of applicants for land upon deferred payments. The bulk of the land taken up in that part of the country has been taken up upon the deferred-payment system. I have known applications, with the necessary deposits, to lie in the Land Office for three or four years, the reason being the backwardness of the surveyors. These applications were made and the deposit handed in on the faith of the land remaining at the same price at which it has been sold in those districts, and that would be an average of about 10s., the maximum being £1 an acre. Now, if the price of land is raised to £2, and the land is put up to auction, where higher prices will probably be realized, such an alteration will operate harshly upon those who have not got their leases, unless they are allowed to withdraw their deposits. And in many cases they have in good faith settled upon the land and made improvements under the expectation that they would have the land assessed by the Board at the price previously ruling. I should like if the honorable member in charge of the Bill would state his definition of the word "commenced" in clause 8.

Mr. REES.—The Bill defines that.

Mr. GIBBS.—Well, it is desirable that the Bill should be made clearer in this respect. The word "commenced" is used in section 8. Is it supposed that the transaction is commenced when the application is put in? That, I think, requires to be made clearer. If the Bill be passed a large number of people in the Nelson Provincial District will have a sort of exclusive right to blocks of land contiguous to their small holdings, as no one will buy back lands at such a price as proposed by this Bill. I believe that the effect of this will not be to increase the Land Fund, but to decrease it. Then, with regard to the 20 per cent. I understand from the

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Premier that the proposal is to give the districts 20 per cent. of the gross proceeds of the land. If that is done it may improve the position of the districts, but how it is to improve the position of the Consolidated Fund I cannot understand: I leave that for the consideration of those who understand Treasury matters. I do not profess to be able to see how the consolidated revenue can be benefited by it. So far as I can see, after the 20 per cent. is deducted, and the charges on the Land Fund are paid, there will be very little left in aid of the consolidated revenue. There have been many opinions expressed regarding the wisdom of selling land by auction. I can speak from experience on the subject, as I have known many persons who, in my own district, have spent much time and money in selecting blocks of land which they thought would suit them, and then have had them bought over their heads by persons who had watched what they were doing and took advantage of their labour and experience. No doubt many arguments may be used in favour of the system of selling by auction, but just as many may be used against it. Various opinions have been expressed by honorable gentlemen regarding the mode in which the distribution of the Land Fund is to be made under the provisions of this Bill, which is not, in my opinion, an improvement on the proposition in the Bill of last session. Now, I will quote a case in point. There are at the present time two Road Boards in my district, and, if the Land Fund were distributed as it is now proposed to be, the money would simply be taken from one district and given to the other. It would be taken out of the district in which it is raised, and in which the roads require to be made—it would be taken from that district and passed into the hands of the next one, which I believe has scarcely any Land Fund at all. Therefore I hope the honorable member in charge of the Bill will consider it expedient to make some alteration in that respect. I rose principally for the purpose of entering my protest against a measure which I think will inflict great injury on the part of the country I have referred to. I am sure it will lock up a large portion of the country, and give the benefit of the waste lands of the Crown to those who are already in possession of adjacent lands, because nobody else is likely to bid for the land at the price proposed. I will vote for the Bill, but I sincerely trust that the defects I have mentioned will be remedied.

Mr. W. WOOD.—Sir, I admit that there has been an outcry in many parts of New Zealand for a uniform land law, but I am not at all sure that the uniform land law was desired in the shape proposed by the Bill now before the House. We must bear in mind that we have not a uniform quality of land throughout New Zealand, and that, therefore, while a uniform land law may suit us, a uniform price will not. It is proposed ultimately to classify the lands, and when that is done we may approach somewhat nearer to a proper estimate of the value of the lands throughout the colony. At this stage I should like to call attention to the fact that in the Pro-

vince of Southland the lands are already classified. Under the present proposals the price of inferior land will be raised to that of superior, and, as the prices of both will be the same, the best of the land is likely to be picked up by speculators. I think that, as the lands of Southland are already classified, nothing further need be done with regard to them. I think, also, that those lands which are already open under the system of free selection should be allowed to be offered for sale by auction. At present there is no adequate provision in Southland for disposing of such lands by that mode. It is proposed to give 20 per cent. of the proceeds of the land sales to the various counties, and I quite approve of the mode by which it is proposed to adjust the distribution of the money. But the clause is not sufficiently clear. We are not sure whether 20 per cent. means 20 per cent. of the gross proceeds, or 20 per cent. of the sum remaining after the charges have been deducted. If it is the intention of the Government to give the districts 20 per cent. of the Land Fund after all the charges have been deducted, it should be clearly stated that such is the case. We all know that the Land Fund is liable to certain heavy charges which swallow up a large portion of it, and I think it should be made clear that the 20 per cent. will be on the gross revenue, and free of all charges. As regards the Bill, I can only say that I should like to have had an opportunity of consulting my constituents with reference to it, as it proposes to make a very serious change; but, as I shall not have such an opportunity, I shall have to vote for the Bill on its general principles.

Mr. HURSTHOUSE.—Sir, the Bills before us remind me of dosing a child with physic. You give the physic first, and then a spoonful of jam to take away the taste. I look upon the Waste Lands Bill as the physic and the Financial Arrangements Bill as the jam which the Government have given us. Ever since I began to take an interest in politics I have failed to see any reason why Canterbury should revel in wealth and luxury, while Nelson, which stands on the other side of the range of hills known as the Kaikouras, should be reduced almost to a state of poverty through the fortune, or misfortune, of being placed on a particular side of those hills. I am glad that the Government now propose to do partial justice to that part of the colony. I am sorry they have not proposed to do greater justice by making the Land Fund colonial property altogether, and not reserving the 20 per cent. I have lived in different parts of New Zealand, and I know the feeling of the people in those districts. I know that there is an immense amount of jealousy existing among the people of the North Island in regard to the wealth of the people of Canterbury and Otago, and we frequently hear people from those provinces saying that we have sacrificed our land. But I say that the greater part of the land in the Nelson Province is the dearest which has ever been sold in New Zealand. The value of land is ascertained by its produce for a given outlay. We know that in Canterbury the land can be

brought under cultivation at a nominal price. The land there is good: we need not go to see it. Anybody who has made a living out of the soil, as many of us have done, need not go to Canterbury or Otago to know the nature of the soil there. We know from statistics that in some parts of Canterbury the average yield of oats or wheat is 35 bushels to the acre; so that we know the land is good. In Otago the yield is 30 to 40 bushels to the acre, so that we know that that land is far superior to any land we have in the northern portion of the South Island or in the North Island for that particular purpose. There is a great difference in the Canterbury land from the mere fact, as stated to this House by the honorable member for Riverton (Mr. Hodgkinson), that a man there can, in thirty days, bring into cultivation sixty acres of open land. Of what we call open land in Nelson and in this Island it would take thirty days to prepare one acre for the plough; and yet they are all to be called open land, and to be purchased at one uniform price. I look upon this dose of physis which the Government has given us in this Waste Lands Bill as a very pernicious thing with regard to the province from which I come. We have there a number of settlers who have striven hard to make their homes in New Zealand, and to make it prosperous; and I believe that they are as creditable a class of settlers as any in New Zealand. The effect of this Bill will be, that the people who wish to acquire land in that district will be unable to do so. The Hon. the Premier, a few evenings ago, said that there was plenty of land in all parts of New Zealand worth £1 an acre. I beg leave to differ from the honorable gentleman on that point. I do not consider that in the part of the country I come from there is any land worth £1 an acre, and I can tell him that many young men living there will have to go elsewhere if this Act is carried into operation. We are experiencing great difficulty in retaining a suitable class of settlers there—there is little or no additional population in that province from year to year; and, if that is the state of things under a land law which fixes the minimum price of land at 7s. 6d. per acre, what will be the case under the proposed law, which fixes the minimum price at £1 per acre? It will prevent settlement, and drive from these shores many men who would willingly make their homes here. I am not prepared to say that it would not be better for themselves that they should go elsewhere; but there are many things besides the acquiring of land which induce men to settle in this country. There are many of us living there who have ties which we value more than mere pecuniary interests. There are many of us whose fathers have lived there, and who, by relations and other associations, are attached to that part of the country; but under this measure many of us will be compelled to leave those ties and seek our fortunes in other parts of the country. Some men like to live in one kind of climate, and some in another. In the part of the country from which I come, we have the best climate in New Zealand, and that induces some to

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settle there who would otherwise go elsewhere. Sir, the honorable member for Dunedin City (Mr. Stout) often argues in this House that land, if it is worth anything at all, is worth 20s. an acre. I take leave to differ from him altogether. I consider that he has only a theoretical idea with regard to land. He appears to have taken great interest in the land laws of the colony, and with regard to the technical working of the laws no doubt he knows a great deal more than I do; but I am perfectly confident that there are many hundreds of thousands of acres of land in New Zealand which are not worth 20s. an acre and will not be worth that price for the next fifty years. In the part of the country from which I come there is a great deal of this description of land. It is, of course, a matter of opinion whether this land had better be held by the State for the next fifty years and then sold at 20s. an acre, or whether we had better sell it at 7s. 6d. an acre, as we can, at present, and have a fixed population upon it. My own idea is, that population is better property for the State to hold than waste lands. Sir, I recognize the fact that it is very desirable to have a uniform land law, with judicious classification, in this country; but I think great care should be taken as to who is to have the power of making this classification. I am confident, if left to the Waste Lands Boards as at present constituted, the classification will not be a just one. It appears to me that, in the carrying out of the policy which is now before us, and in the classification of the land hereinafter, the Government will have to appoint or obtain the services of some thoroughly practical men in the colony, who will visit in person the various districts where lands are open for sale, and cause them to be classified according to the real value of the land for settlement. I am quite satisfied in my own mind that neither the surveyors who are employed to survey them nor the persons who comprise the Waste Lands Boards of the colony are competent to do so. The soil of the country is so thoroughly different that where you have land valued at £5 an acre you may jump upon other land not worth 5s. an acre; so that it would be impossible for men who have not an absolute local knowledge to classify the land and to do justice to all parts of the colony. From the Bills introduced I find myself in a peculiar position. I voted against the Waste Lands Sale Bill to-day from the fact that it did great injustice, in my opinion, to a large portion of the people of the province from which I come. I think it will also do immense injustice to a large section of the people of New Zealand, and particularly to the people of the Province of Auckland. I have a knowledge of that province, and I am aware that a great deal of the land there is in the same condition as that in Nelson—that for the next fifty or sixty years it will not be worth the minimum price this Bill proposes to fix on the waste lands of the Crown. For that reason, I opposed the Bill by my vote. With regard to the Financial Arrangements Bill, I shall, very much against my inclination, vote with the present Government, and I hope it is the last time I shall have to vote with them.

Mr. MURRAY.—I do not propose, at this period of the session, to go into this question fully; but I should be wanting in duty to myself and to my constituents did I fail to express one or two opinions which I hold strongly upon the proposals contained in this Bill. I regard the proposal to continue the system of granting subsidies in proportion to rates as containing a very pernicious principle—one which I have always opposed, and which I cannot now consistently support. I understood, when it was proposed to take the land revenue, that that course was demanded by the financial exigencies of the colony, and as such it might have been justifiable—and I believe that it is absolutely necessary—but I cannot approve of taking the Land Fund of the colony to continue this pernicious system of granting subsidies. I had expected that the honorable member at the head of the Government would have shown how he intended to make provision for paying twelve months' subsidies out of six months' revenue, but I failed to see in the honorable gentleman's statement any such provision. I think the honorable member for Egmont was wrong with regard to the proposed distribution of those subsidies, as has been pointed out by the honorable member for Totara. I do not intend to go into that question. I will not here go into the proposed Waste Lands Sale Bill. I do not think there is any necessity for such a measure at the present time. No doubt the honorable member for Dunedin City (Mr. Stout) has a weakness upon that point, and possibly it may have been out of deference to that honorable gentleman that the Bill has received support in this House. I think the existing law is quite sufficient, without making any alteration during the present session. It will only be four or five months before we meet again; and the Bill which we have passed, and which is now before the other branch of the Legislature, ought to be sufficient for the purpose. The honorable member for Totara has stated that he supported the Financial Arrangements Bill because there was some finality about it. I consider that there will be no finality about it. I should be very sorry to see these subsidies perpetuated, and I have no fear that they will be perpetuated. I have seen too many promises made to local bodies in past sessions which were not kept, and I am satisfied that this 20 per cent. which it is proposed to save from the general wreck will go into the general maelstrom of colonial finance. I should have been glad if the Government had had time this session to have made some provision for outlying districts such as those referred to by the honorable member for Collingwood. I believe it is absolutely necessary in those outlying districts, where they have the initial difficulties of colonization to contend against, and where they have all the roads to make, and where they have not the means at their disposal which more wealthy and favoured districts possess—districts where the people can afford to rate themselves, and receive the largest amount of subsidies—that assistance should be given them. It was with the view of providing for those

outlying districts—of providing a permanent endowment for the support of local bodies—that I in the early part of the session made certain proposals by which a permanent endowment of public land of the colony might be given to those local governing bodies. I believe that is the right way to provide a permanent endowment for those bodies. I believe that this proposal of the Government will lead to extravagance. It will not, as the Premier states, reduce cupidity: it will lead to cupidity, and to the very worst form of human selfishness. I trust the proposals made by the honorable member at the head of the Government are not actuated by that spirit of cupidity which he supposes the Bill will allay. I believe there is more cupidity in this proposal than appears on the surface—cupidity carried out in a very artful way. I have no doubt the House will be able to appreciate the cupidity of certain honorable members. At the same time, I regard this taking of a portion of the land revenue as absolutely necessary to secure the solvency of the colony.

Mr. BEETHAM.—My ideas have been so forcibly placed before the House by the honorable member for Motueka that I shall not say much on the present occasion. The honorable member for Bruce mentioned the term "cupidity." Now, as a North Island member, I wish to state that it is not by any means a feeling of cupidity which induces me to vote in favour of the present Bill. The people of the North Island feel that it is merely an act of simple justice that the Land Fund should be made colonial revenue. For many years we have had to struggle against great difficulties in this Island, difficulties of which members from Otago and Canterbury can have no idea. We have had to struggle against the great Maori difficulty. We have had to make roads for the Maoris as well as for ourselves, without the possibility of taxing them or drawing from their lands one penny. I am Chairman of one of the counties in the Wairarapa District, and I am sure that I am fully putting before the House the views of the Councils on the matter when I say that, although they were not able to bring the Counties Act into force, it was not from any wish to evade legitimate taxation, but from a feeling that with the means at our disposal we could not carry on the work of colonization as it should be carried on, owing to the fact that we had to make roads through Maori districts, and open up unsold lands of the Crown. We had no funds to do it, and when we saw our richer brethren in the South with balances lying at the bank that they did not know what to do with, we could not help feeling that it was a system of injustice to the colony at large. In the district I represent we have not only taxed ourselves, but we have shown that we wish to do our utmost for the country. A reference to statistics will show that in the Counties of Wairarapa East and West we have taxed ourselves for roads and works as heavily as, and more so than, any other district in the colony. I am fully aware that our subsidies must soon cease, unless the Land Fund becomes colonial revenue. I would go



further than the Government, and say that even the 20 per cent. must be made colonial revenue; and it will be the duty of any Government to come down year after year with proposals to distribute the land revenue in districts that most require it. It may be said that I am acting selfishly in making these remarks, but I deny it. Whether the needy districts are in the extreme North or South, the land revenue should be distributed in those districts where it will produce the greatest public good. I do not intend to go into the financial question, simply because I have not sufficient knowledge of the matter to enter upon it. I cannot appreciate the difference of opinion expressed between the two leaders of the House. I have consistently followed the honorable member for Egmont, and I may say that, although I shall on this occasion follow the Government into the lobby, it is not because I indorse all their policy, but that I feel that in this case they are taking a step required for New Zealand as a whole. I voted against the Land Sales Bill, believing that it is impossible that we can have an exactly uniform land law throughout the colony. In the North Island at the present time we have large areas of unsold land which it is absolutely impossible to sell at 10s. an acre. How could we expect to sell that land if we placed a price of £2 an acre upon it? But if some of the surplus revenue of the southern provinces were expended in opening up our waste lands we should be in as good a position as our brethren in the South. We do not appeal for this as beggars, but claim it as a matter of justice.

Mr. JOHNSTON.—Like the honorable member for Wairarapa, I am going to vote for the second reading of the Financial Arrangements Bill. But I am obliged to look for reasons for colonializing the land revenue elsewhere than in the Financial Statement of the Treasurer; the reasons given by him, and also those given by the Premier, being altogether insufficient to recommend so great a change in the law. The Treasurer told us that the tendency of our present system of finance is to lead rapidly to evils which he would indicate, and that the only available remedy is to take the land revenue; and then the evils turn out to be that the General Assembly frequently meets some time after the commencement of a new financial year, and that the whole of our debt is not funded, but some of it remains in the form of Treasury bills. And these are the trivialities on which he recommends to us to suddenly make this extreme change in the law. It is true, he adds that, after all, the change in law will not make a great change in results, because the idea that a large proportion of the land revenue is available for localization is a delusion. It seems to me that to members from Canterbury, which last year received over £400,000 of surplus land revenue, this statement must have seemed a perfect absurdity. However, in the Financial Statement made by the honorable member for Egmont I find the strongest reasons for inducing me to support the proposal brought forward by the Government, as it appears to me that Statement shows that between the estimated revenue of the

current year and the estimated expenditure there is a deficit of over £300,000. On page 9 of the honorable gentleman's Financial Statement, the estimated ordinary expenditure is put down at £3,109,754 12s. 9d., and on page 15 the surplus land revenue to be distributed is estimated at £329,369 9s. 10d., making a total expenditure by the colony of £3,439,124 2s. 7d. The estimated revenue, as shown on page 14, is £3,392,685; but, of this amount, £109,000 consists of Treasury bills which it is proposed to issue, and £58,000 is money belonging to Canterbury. Deducting this £167,000, the estimated revenue is £3,225,685, or £213,439 2s. 7d. less than the estimated expenditure. Let us see how it was proposed to cover this deficiency. In the first place, the honorable gentleman during last year had sold £150,000 of Treasury bills in aid of land revenue, and of the proceeds had cash in hand £148,000; then he sought to obtain the £167,000 I have just referred to—together £315,000, which was enough to cover the deficiency and leave an estimated surplus at the end of the year of £101,781 5s. 10d., which would be, it is stated on page 16, available to meet possible deficiencies of land revenue in some of the provincial districts. And seeing that the estimated land revenue of the North Island is £218,000, whilst the actual land revenue last year was only £56,000, there is no doubt the whole of the £101,781 5s. 10d. will disappear in that way, and the deficit will be at least the full amount of £315,000 it is sought to provide. And, without going into an analysis of the Statement, the mere fact that the honorable gentleman should be obliged to tell us that, although he had in hand a balance from last year of £148,000, he nevertheless was compelled to ask us to aid revenue to the extent of £167,000 more, showed that the revenue by itself was insufficient by £315,000. And this large deficit will annually increase unless we take means to cover it, either by taking the land revenue or by further taxation. I am going to vote for taking the land revenue; and when I consider that, as against the deficit, the estimated surplus land revenue is only £329,000, I am of opinion that we require it all. And further, inasmuch as the charges on land revenue amount to £643,000, to provide this sum and to cover the deficit between ordinary revenue and expenditure we must have annually a land revenue of over £900,000, and I do not believe this will long be the case. Under these circumstances, I think the late Government should have shown the most anxious prudence. I do not think it was by any means an opportune moment for bringing down a scheme to supplant all the private schools in the country, a scheme which will cost us at least £100,000 for land and additional school buildings. In the next place, I think they were wrong in not bringing down a statement of what it will cost to complete the authorized railways, so that we might see to what expenditure the country is committed. In 1874 the then Minister for Public Works (Mr. Richardson) told us that the amount authorized by Parliament for the construction of the railways authorized would suffice for their

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completion; and in 1875 and 1876 this statement was reiterated by implication. In the Immigration and Public Works Appropriation Act are set forth the estimated cost of each line, the ways and means provided to date, the expenditure on each line to date, and the further ways and means required. In the Act of last year it was shown that only £305,000 of further ways and means would be required to complete the lines. Therefore I confess I was extremely surprised and disappointed when the late Government asked for £2,000,000 on account of further payments, without giving us a word of explanation. I felt as though I were being carried away by a current which I could not stem, and which was bearing me I knew not whither. That is why I did not vote with the late Government on the first want-of-confidence motion. With regard to the proposal before us, I presume this Bill and the Waste Lands Sale Bill are to be considered in connection with the Loan Bill about to be introduced. I trust the Government will reduce the loan to £2,000,000 only. The Treasurer suggests we should raise a further amount, partly for the purpose of funding the Treasury bills and partly in order to release the guaranteed debentures. There is no great advantage to be gained by funding the Treasury bills; the rate of interest on them is only 5½ per cent., and, were we to authorize a loan to take them up, pay a commission for raising it, bring the money out to the colony, and let it lie until the Treasury bills gradually matured, we should gain nothing by the operation. Then, with regard to raising the guaranteed debentures, they are the best security the Government can obtain money upon. So long as we obtain £800,000 by pawning them to the Bank of England, so long we only pay on the £800,000 the Bank rate of interest, which recently was as low as 2 per cent.; but if in lieu of the guaranteed debentures we substitute unguaranteed debentures which we sell, then for the £800,000 we pay at least 5 per cent. This would not be a wise operation at any time, but, at a moment when we must raise £2,000,000 for our public works, to depreciate our credit by seeking to borrow another £2,000,000 for the purposes I have named seems especially unwise. I shall not take up the time of the House by reviewing the Financial Statements of the honorable member for Egmont and the Colonial Treasurer. It is always unprofitable and weary work to review Financial Statements. The thing to consider is, what is right to be done. I think the Government ought to reduce this Loan Bill to £2,000,000. In the next place, I think it is their bounden duty to assure us that next year they will come down and make a clear statement of what it will cost to complete the railways authorized. In the third place, I think they ought to tell us exactly how much of the 14,000,000 acres of land put down on paper as still for sale is available for settlement. I believe it includes mountain ranges in both Islands, and if the matter were looked into I should not be surprised to find that we have not much more than half that area which is saleable. This is very important. I showed just now that £900,000 will require to be taken from

the land revenue into the Consolidated Fund before we can make both ends meet. It is highly desirable that the House should know how long we can expect to receive that amount of revenue. My own impression is, that we can only look forward to it for very few years. We shall have to face the probability of a very large amount of direct taxation. With regard to the Waste Lands Bill, which fixes the price of lands, I would point out to the Government that, if our land revenue is likely soon to diminish, what we shall have to look forward to in order to obtain sufficient ordinary revenue to balance our charges is the settlement of a very much larger population in the country. In the North Island, or at all events in this part of the North Island, where there is absolutely no open land available for capitalists, land sales represent settlement, and are a measure of the progress of settlement; and, if we put such prices upon land as to discourage settlement, while the land revenue of the country is gradually disappearing, we shall prevent the occurrence of the one thing which alone will enable us to cope with the fearful debt we shall labour under by-and-by. But if the Government borrow this year only so much money as is indispensably requisite, bring down to the House next year a statement of how much further money they must have in order to complete the lines of railway, and indicate to us exactly how much land is available for settlement, I think we shall be in a position to know what our burdens are, to what extent and for how long we shall have land revenue in aid, and, in short, we shall be able in some degree to estimate the future of the country. I do not wish to detain the House further. But I hope I have made it clear to the House why I think the present step is absolutely necessary. The Premier tells us that the result of this arrangement so far as this year is concerned will be to leave us with a deficit of £138,000. He does not give us the data upon which he arrives at this deficit, and makes no suggestion whatever for covering it. But I welcome his proposal to take the land revenue, even though it may result in this deficit at the end of the year. This is a step in the right direction, and I will unhesitatingly vote for it.

Mr. STEVENS.—I should like to make one or two remarks. The subject of this Bill, I think, might just as well be considered without any special reference to the finances of the colony as not. The question seems to me to be simply this: Whether the Land Fund which the people of certain provincial districts are able to realize shall be taken to meet the deficit in the general revenue, or whether that deficit is to be met by the whole body of the population of the colony. I quite agree that that position ought to be faced, and at no distant date. The main question is, whether it would be more in accordance with right and justice that the public should know the exact position of affairs before that is done, and should have the opportunity of choosing whether or not they will take the course now proposed to cover the deficit. The present Government answer that question in a very simple manner. What they say, as I understand, is this: "We

will take whatever we can lay our hands upon, and afterwards, when the Land Fund and all other available resources are exhausted, we will make some other provision." I should like to make this quite plain. I may mention incidentally that last year, when there was a deficiency to meet the Land Fund charges of other parts of the colony, it was made up out of the Consolidated Fund. The sum of £53,000 was taken out of the general taxation of the colony. Now, what the Government say is this: that so long as there is any Land Fund to be taken they will take it to aid general revenue. It especially affects the Provincial District of Canterbury. The provincial liabilities of that district and the liabilities on the Land Fund on account of Colonial Government expenditure on railways and public works are comparatively small; its railways have been purchased by the Government, when it became liable, under the Financial Arrangements Act of last year, to pay 2 per cent. on that expenditure, and no more; and, as may be seen by the total which has been laid before us this evening, the proceeds from waste lands are immeasurably greater than in any other part of the colony. Its price of land is higher, and its liabilities are less. But the Government say that the whole of these advantages which are at present possessed by Canterbury, shall be sunk in the one common object of as far as possible equalizing the revenue with the expenditure. That is what I understand to be the position—that, so long as the localities have got anything to pay to the general chest, that payment should be taken, and the localities should suffer for the benefit of the general fund. There have been public men in this colony who viewed such a thing as a matter of high policy. I have known some of them, and no doubt they would produce very good arguments in support of that view, and would consider that the different land systems of the colony produced dissensions and jealousies and other objectionable effects upon our public affairs, and lament that the Land Fund had ever been made other than colonial. But they never attempted to take the ground which has been assumed by the Premier this evening—namely, that it is a bad thing for those who possess the Land Fund; that they are morally degraded by the possession of this special advantage of the land revenue. That is a view which, I venture to think, will not be appreciated very highly in the Province of Canterbury. We have not even the gloomy satisfaction of knowing that the Government will be able to equalize their revenue with their expenditure under these proposals. I do not propose to weary the House by going into figures to any extent, but from the honorable gentleman's figures it appears that, even after the sacrifice proposed to be made, at the end of the current year we shall not have the satisfaction of knowing that the public revenue will be equal to the expenditure: in fact, we have every reason according to him to expect the contrary, and that we shall come here next year and find a considerable deficit. I understood the Premier to say that there was not time to consider the question of a dissolution—that it would take too much time;

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and there were other objections. I think that the opinions of the constituencies should be sought on this great change. It is a change which will be felt very deeply in some parts of the colony: at all events, it will be felt in the district from which I come. In the Provincial District of Canterbury it will be regarded as a very serious evil. I speak now not as the representative of a particular constituency, because the whole of the people there are interested in it, but I say that they will feel it as a lasting cause of dissatisfaction that they have been singled out, as it were, for special burdens. I say, as I have said before, that it would have been but fair if they had had an opportunity of choosing the alternative of submitting, as a portion of the whole body politic, to some kind of additional burden, in preference to the sacrifice to which they now are called on to submit. I should like to point out that this Bill does not provide for the cessation of those charges which are now placed upon the Land Fund. Under existing arrangements there are certain charges which are made to fall upon the land revenue, and are provincially charged; and it is necessary that, if the provincial revenue is to be taken, these charges should by law be made to form part of the charges upon the colony as a whole. I throw that out as a suggestion of what should be done, in order that the principle may be fairly established that, as the colony is going to take the whole of the assets, it should also take all the liabilities and responsibilities of colonial finance. I will not waste time by making much reference to what has fallen from the honorable gentleman at the head of the Government; but when we are told that the Land Fund is practically gone, as he says it is, we have only to look at the statement presented to us this evening, showing the transactions for the past five months, to discover that the Land Fund is not practically gone. It may suit the views of certain one or two provincial districts—even the Provincial District of Otago, with its ample reserves for local works, and the possibility in future of a good hard vote for public works as occasion may require—it may be very well for those parts of the country to say they will not suffer; but that is not the position of Canterbury, and I regret that there should have been any in this House, from that locality, with such want of foresight and judgment as to have been instrumental in placing upon those benches gentlemen who would refuse to give to the people of that part of the country from which I come the opportunity of saying whether they particularly, or whether they as part of the whole colony, would assist to meet the deficiencies of the Treasury.

Mr. MONTGOMERY.—I wish to say one or two words to commence with, in reply to what the honorable member for Egmont said. He wished to know how it was that the honorable member for Akaroa supported the Government of Sir George Grey, which was taking the Land Fund of Canterbury. Let me state shortly how it was that I could not support the late Government. It was because there was a deficit which the honorable member for Egmont could not meet

without breaking a law which he had promised not to break; because he proposed to take the Land Fund in an insidious manner; because the Government had not the power to lead the House; because they abandoned measures such as the Native Land Court Bill and accepted a totally different policy; and for a great many other reasons. I will state one thing in particular which tended to destroy my confidence in them. In 1875 the honorable member for Egmont said that the whole of the Land Fund would be available—that no fresh charge would be put upon it, and that it would be available for expenditure within the localities in which it accrued. He put fresh charges upon it last year, and he proposed to do so this year. I will show what were the charges he put upon it last year. The expenditure on railways in Canterbury was £2,000,000. Six per cent. upon that—that is, interest and sinking fund—would be £120,000. But the railway profit, according to the statement of the Minister of Public Works, would be £30,000; add to this 2 per cent. interest on £2,000,000, which is charged by "The Financial Arrangements Act, 1876," making £40,000—in all, £130,000, which goes into the consolidated revenue from Canterbury; so that on the railways alone there would be a profit to the colony of £10,000. Then the province also pays Customs duties and other charges into the colonial revenue, to be used for payment of interest on the public debt of the colony. So that Canterbury contributes more money towards interest and sinking fund than any other province. But to this it was proposed to add £58,000, to be taken in the insidious manner proposed by the late Treasurer. I think those are sufficient reasons why I could not support the late Government. Nor can I support the present proposal. I do not think the Premier has made out a good case. He said he wished to legislate so that for the future the cupidity of various parts of the colony would not exist. I can easily understand that, if we take from those who have and give to those who have not, the cupidity of the latter will be satisfied for a time. But it seems to me it will only be appeased for a time, and will become insatiable if we once gratify it at the expense of others. The honorable gentleman said very truly that every person who purchased land in Canterbury had a right by contract to have a portion returned for local works. That is the case, and the House may depend upon it that if it allows the Land Fund to be taken people will not go on purchasing in these southern provinces as they have done, because hitherto they have purchased in the belief that a portion of the price they paid for the land will be spent there in making the land available for settlement. Take away these proceeds of the land and spend it upon works in other parts of the colony that will neither open up the country nor pay expenses, and I venture to say that you will find there will be much less land purchased. The honorable gentleman then said that the Land Fund had hitherto enormously enriched the people in one part of the colony, while in other parts it would not bear

the expenses of survey. Then I want to know this! Why should the Land Fund be taken from that part of the country which requires roads and bridges, and be spent in that part of the country where the people will not settle unless the land is given to them for little or nothing? I have also to say that I do not think that the honorable gentleman's finance is very good; and here I would add that, though I cannot altogether support the finance of the Treasurer, I think we have had a change for the better. I think we now have knowledge which shows us that the ship is drifting upon the rocks, and that we ought to give our opinions as to the best way of preventing her going there. But although I support the honorable member on crucial questions affecting his Ministerial existence, I cannot support him on this occasion. I tell him this candidly, and I hope he is quite willing that I should speak as candidly as if I were on the other side of the House. Allow me to say, in the first place, that I think his estimated deficit of £118,000 will become very much larger. The amount which has been received from land sales up to the present time from all the provincial districts, excluding Otago and Canterbury, is £36,261; adding to that a fourth for the unexpired time of the half-year, we have a total of £45,000, which shows a deficit on the estimate of the honorable member for Egmont of £128,000 for the six months, of £83,000. The Financial Statement of the late Treasurer showed a deficiency of £109,000 on account of the Otago contribution, £36,000 to be recouped from loan, £58,000 from Canterbury, and £30,000 fees struck off in connection with education fees: altogether, £233,000. That gives us £116,500 for the half-year, which, added to the £83,262 deficiency on the Land Fund of provinces other than Otago and Canterbury, gives a total deficiency of £199,762. That is my calculation for the half-year. It is all very well to say that we shall get £550,000 for the next half-year. I trust we shall do so. But I say the damage to the crops down South, for want of rain, will, I fear, render the Land Fund of Otago and Canterbury for the next half-year very small. Take it, however, that you get half the estimate from Canterbury and Otago. That would amount to £275,000; and say you allowed Canterbury 20 per cent., and also the charges, £117,000, there would be £158,000 to come from Canterbury for the next half-year. However rich Canterbury may be—and there are many honorable members who know that the people there, by their prudence, and the wisdom of their administration of their land laws, are in a state of prosperity—do you think they will agree to give up such a sum as that to provide subsidies for Road Boards and Municipalities in other parts of the country which have given their lands away for nothing, or sold them at 5s. or 10s. per acre? Do you think the people of Canterbury will be satisfied with that? Do you think that you can give away estates of 50,000, 60,000, or 80,000 acres in the North Island for some 5s. an acre, and allow them to go untaxed, while you call upon Canterbury to provide the money to make roads through

them? I am a Canterbury man myself, but I can take as broad a view of matters outside my district as other honorable members can take of places outside their districts, and I say that such a proposition as this is thoroughly unjust, and I shall vote against it. I can understand the cupidity of those who have settled on inferior land, or on good land which they got at 10s. and which is now worth £20 an acre, if they say, "We will take this money from Otago and Canterbury, not because it is just and fair to do so, but because it is pleasant." Having said that this proposal is completely unjust, I have also to say that I do not believe this 20 per cent. arrangement will at all settle the question. I believe there will be found plenty of members next year, like the honorable member for Wairarapa (Mr. Beetham), who will say, "Twenty per cent.! Why should they have 20 per cent.? They had plenty in the years gone past. Let us take that away too." There may be found others who will even say, "Let them pay back that which they have had in years past." I heard that opinion expressed in this House a year or two ago. They may not, perhaps, go as far as that; but I say that this is no more a settlement of the question—and let honorable members bear that in mind—than the proposal of the honorable member for Egmont last year. I said at the beginning of the session that this Land Fund question must be settled either this year or next. I have always thought that the time would come when we should have to consider whether we should not make a portion of the Land Fund colonial revenue, for I considered we were spending money so fast, and I saw so many disasters and dangers ahead, that I felt we might be obliged to put our hands upon any money we could get, and I therefore saw the time would very likely come, either this year or next, when we must consider this question of whether any portion of the Land Fund should be made colonial revenue owing to the necessities of the State. But in considering that question I also wished to consider whether property, which has been so much improved in value by the expenditure on account of railways and immigration to which we have gone, should not bear its fair share of the burdens laid upon the country. While we can borrow money there are plenty of persons who will say, "Go on; everything will be right. Expenditure will open up the country, and all will be well." My own impression is that the railways will not pay as much in future years as they do now. Although you may have one additional length opened, a little bit in Otago and some in the North Island, still they will not pay so much as the late Minister for Public Works said they were likely to pay this year. I said, also, if the House really considered the question of taxation, and if property was made to pay its fair share of our burdens, then Canterbury would have said, "The financial difficulties of the colony are so great that we shall be prepared to part with some portion of that which has been our own by the law for so long." But to take money from Canterbury and rob that province without touching others is so unjust that I must give

*Mr. Montgomery*

my vote against any such proposal. Last year I divided the House upon the question of these subsidies, because I thought them unjust, and the honorable member for the Taieri and the honorable member for Christchurch City went into the lobby with me. And I say now, again, that we shall have to knock them off very soon. I do not care what Government may be sitting on the Treasury benches next year, that will have to be done, and the finance of my honorable friends now sitting there will not provide this deficit. That is an assertion on my part, but I think it will be borne out by figures. Every million we borrow means that we are to add £50,000 to our expenditure for the year. For the last six or seven years we have had very great prosperity in the country, and, as I have before pointed out, there never was in any country such a period of prosperity without its being followed by a corresponding period of adversity. As reaction goes on throughout all the world, so will it follow prosperity here, and then we may be obliged to put on heavy taxation. Taxation on property to a small extent is a good thing, but heavy taxation on it is bad. I say this finance is not thorough or sound, and does not go far enough. If we do not put on a tax now, we shall have a larger deficit next year, and then we shall be obliged to have recourse to heavier taxation, when we shall be less able to bear it. Having said that much, I would also wish to say that, when the time comes to consider the proposal of the Government to borrow £4,000,000, I shall vote against it. The amount which the honorable member for Egmont proposed, namely, £2,000,000, is quite as much as I shall vote for. I trust honorable gentleman will consider this question somewhat apart from party feeling. I know that some honorable members on the Opposition side will vote for the Government, and that some on this side will vote against them; but this is a far larger matter than a mere party question—it affects the future of the country, and I hope party feelings will not make us look at the figures of the honorable member for Egmont and of the Hon. the Premier as if, because they were brought forward by the respective leaders, the one chief's figures must be absolutely correct and the other's absolutely wrong. I hope honorable members will judge for themselves, and will take care that for the future they will not allow burdens to be placed on the colony which it may be unable to bear.

Mr. WASON.—I have been listening very carefully to the arguments of the honorable member for Akaroa, but up to the present time I am not satisfied as to how he is going to vote or what line he is going to take.

Mr. MONTGOMERY.—I said I would vote against the Bill.

Mr. WASON.—It is a matter of gratification to know that the honorable gentleman is going to vote against the Bill, because I did not understand him to say so.

Mr. MONTGOMERY.—I said so.

Mr. WASON.—Then how the honorable gentleman can reconcile his vote on this occasion with the consistent support he has hitherto given

his party it is not for me to explain. It is for himself and his party to explain that. It seems to me strange that the leading backer-up—the “sponge-holder,” if I may so express it—of the present Government should refuse to support them in the crucial test and main point of their whole policy. And yet that is the very honorable gentleman who blamed the late Government that they did not treat the vote on the Native Lands Bill as a want-of-confidence vote. It ill becomes the honorable member for Akaroa to blame the late Government for not going out on the Native Lands Bill, when he is going to vote against his party on this question on which they stake their existence.

An Hon. MEMBER.—No.

MR. WASON.—I think the honorable member will find that they do. We have the Financial Statement of the Government, and then we have the Waste Lands Sale Bill and the Financial Arrangements Bill, which are to give effect to the policy declared in the Statement. From the time this Financial Statement came into my hands I have been endeavouring to make out what it meant, and even with the assistance of these two Bills I am no wiser than I was before. The honorable member for Totara tells us that he will support the present Government in their proposals because he finds what he is pleased to call finality in them, and because, he says, it is so much pleasanter to be relieved from the sword of Damocles which the honorable member for Egmont suspended over our heads: just as if he did not know as well as possible that the Government which makes this proposal to give the districts 20 per cent. of the land revenue will come down next year and say that 10 per cent. is enough, and then 5 per cent., and then will take away the last shilling. Looking through the Financial Statement with the light of these two Bills, it seems to me more incomprehensible than ever. In the Financial Statement the honorable gentleman tells the House that there are two courses open,—

“Firstly, to ask the House to vote supplies for a period of three or four months; to adjourn; to meet again at an early period of next year, when we should be enabled to place all our plans before you in a matured form, and then to take your verdict upon them.”

That is one proposal of the Government in the Financial Statement which is supposed to embody the policy of the Government. Well, Sir, they have not done that. They have not adopted the first proposal. Then he comes to the second one,—

“To take up the Estimates of the late Government, make such modifications in their proposals as we might deem necessary, and occupy ourselves during the recess in fully reorganizing and consolidating the present financial and departmental systems of the colony.”

They have not done that. Then there must be a third course, which must be an experimental mixture of those two courses and some other course. They have taken up the Estimates of the late Government; they have taken up the policy of the late Government as regards Native matters;

and now, as regards their present proposal to make the Land Fund colonial revenue, they have not secured a fourth of the leading members of their party. After the statements made by the Colonial Treasurer in his Financial Statement, it is very unsatisfactory that we should again be thrown into a state of confusion as to the real intentions of the Government. I cannot understand what their financial arrangements are. Nor has the speech of the honorable member for Akaroa at all enlightened me: in fact, it only reminded me of the old French anecdote of the definition given by Voltaire of the word “metaphysics.” He was asked what “metaphysics” meant, and he answered, “When he who is speaking does not understand what he is talking about, and when he who is being spoken to does not understand what is being said to him, that is metaphysics.” That is the position in which the speeches delivered in explanation of the financial policy of the Government have left us. The Premier told us he was going to instil a new moral principle into the minds of honorable members who have not sufficient moral principle already; but he did not say anything, I remarked, about the intense discontent which he will raise in the breasts of those from whom he is going to take this money. Then the honorable member for Wairarapa (Mr. Beetham) told us that he grudging us this 20 per cent. He means to secure everything he can for the people of the North, who claim it, not as beggars, but as a matter of strict justice.

MR. BEETHAM.—I did not say the 20 per cent. was to go to the North only. I said that it should be distributed equitably, North and South, and not be devoted to the exclusive benefit of those districts which have all the roads they want.

MR. WASON.—Exactly so. The honorable gentleman wants justice, and, like the sturdy beggars of old, he says, “If you do not give it to us, we will take it.” The honorable member for Motueka threw another light upon the matter. He gave us a practical illustration of the agricultural capabilities of the soil in Canterbury and Otago, and stated that some of the Canterbury land yielded thirty-five bushels of wheat to the acre. In that he is mistaken. In no series of years has the wheat crop in Canterbury averaged thirty-five bushels to the acre. The highest average I ever heard of was thirty-two bushels to the acre. People may estimate their crops as likely to yield thirty-five or forty bushels to the acre, but when they come to reap them they generally find their calculations a long way out. The honorable member for Heathcote will be able to tell the House the difficulties Canterbury settlers labour under, such as want of water, dry soils, and want of a ready means of communication; and if they have not the money to make roads they will be utterly unable to carry on works of any description whatever. There is a serious discrepancy in the Financial Arrangements Bill and the Financial Statement which again tends to create confusion. The Colonial Treasurer in his Statement says, “It is our intention, however, that 20 per cent. of the land revenue shall be localized by law for the

purpose of being expended by the local authorities on roads, bridges, and public works within their respective districts." That is exactly what the Financial Arrangements Bill does not do. It does not localize 20 per cent. for that purpose. It simply repeals the Act of last year, which was bad enough in itself, but which provided that "three-fifths of the Land Fund shall be given in the proportion of the areas of the several counties or parts of counties in the district, and two-fifths in the proportion of the subsidies payable to such several counties"—that is, in proportion to rates I am entirely opposed to any Land Fund being given as subsidies for rates raised from the people themselves. Those rates, as a rule, at any rate in Canterbury, have not been levied for opening up fresh country—they are simply levied to maintain existing roads in repair; and why the Land Fund should be spent for the purpose of assisting the people to improve their roads is a thing I am utterly unable to understand. It was bad enough last year when the districts received two-fifths in proportion to their rates, but now we get nothing in proportion to area at all. What will be the effect in newly-settled districts, such as the Ashburton and Geraldine Districts, where the roads have not yet been made? If the roads are not made the progress of the districts must be retarded. People will not be able to grow wheat, because agriculture is different from sheep farming. Properly-formed roads are necessary. Unless people have the means to get their products to market a stop will be put to agricultural pursuits, and we shall be reduced to our original state, sheep-farming. There is another point which, it seems to me, honorable members representing districts other than those of Canterbury and Otago should look at. I believe the proposal is not an honest one: what I mean is, that it is not intended honestly to carry it out—that is, that the Government do not propose to leave 20 per cent. of the gross proceeds of the land revenue; for further on in the Financial Statement we find the remark—

"That the Government looks forward to being enabled to submit to this House next session well-considered proposals, based upon sound data, whereby important districts may be opened up and connected with main railway lines by means of branch lines, to be constructed out of the proceeds of the land, which will be rendered valuable and accessible by such branch lines."

Now, I ask honorable members from Nelson and other parts of the colony what that means. Does it not mean that certain districts away south, which have strong influences at their back, will have an opportunity of securing large areas of land for the purpose of constructing local railways? And, if that is to be done, what amount will the Government expect to get in from land sales? If land is reserved in Otago and Canterbury—

Mr. MACANDREW.—And Wellington.

Mr. WASON.—And Wellington. Take it all round. If land is to be taken for the construction of miles of railways, what will there be left to provide 20 per cent. for the counties? And, if that is the intention, why not say so? If the Go-

Mr. Wason

vernment propose to devote all the surplus land to the construction of branch railways, it should be fairly stated, so that we might all start fair; but it is not a right thing to say that we are going to equalize the financial position of the colony, that we are going to restore the equilibrium, when you say in the Financial Statement that you do not mean to do anything of the kind, that you intend to make branch railways instead. That is an important point which I would urge upon honorable members who are going to vote "straight" upon this Bill. By referring to those who are going to vote "straight," I mean those who wish to see the land revenue fairly colonialized. The Waste Lands Bill is an important point, taken in connection with this measure. It is intensely unfair to the Provincial Districts of Wellington, Nelson, and, I should imagine, to Auckland also. There is land in Nelson which cannot be sold at 7s. 6d. an acre, and there is land in Wellington which cannot find purchasers at 10s. an acre. And why raise the price to £1 in those cases? In connection with that point I purpose making a few remarks upon the question of taxation, which the Colonial Treasurer alluded to very slightly. He merely says that the Government will "earnestly consider the question, already discussed in this House, of altering the present system of taxation in this colony, with the view of more equally and fairly distributing its burdens upon the whole community." And further on he says he apprehends "that it will not be necessary to raise a larger revenue from the people than is now drawn from them, but, should that source of revenue fall off, we must be prepared to submit to heavier burdens to meet our obligations to our creditor and conduct the business of the country." If he means that, why does he come down with proposals which will prevent the occupation of large tracts of country? I hold that the sooner every acre of waste lands in the colony is disposed of, with the exception of what is required for reserves, the better it will be for the people of the colony. As long as we have this land there will always be an intense feeling of dissatisfaction in the minds of the ratepayers when they are called upon to contribute to necessary works. If it is proposed to impose an income and property tax—and I believe an income and property tax will not be seriously objected to if it be shown to be urgently required—if the constituencies have the question put before them, whether they will have an income and property tax, or whether they will see their vast tracts of land lying at the disposal of Government—land which they will not sell because they cannot get a certain price for it—it appears to me that nineteen out of twenty people will say, "No; we must sell this land in order to put population upon it, and introduce a fresh tax-paying element." That is a great argument in favour of leaving the land open for selection at such a price that it will be sold. If it can be sold on the deferred-payment system, well and good, so long as it is beneficially occupied. I was surprised that the honorable member for Akaroa did not go more fully into that question, it being one upon which I entirely agree with

him and the honorable member for Bruce. Are the people to pay increased taxation while the Government is raising money to pay subsidies on the rates? We discussed that question last year at considerable length; and I wish to point out to the honorable member for Bruce and the honorable member for Akaroa, who acted as tellers at the end of that discussion, the difference between the proposals of the Government in the Financial Arrangements Bill and the proposals which were made last year. Last year out of the consolidated revenue there was to be paid £1 for every pound collected in the shape of rates: 10s. was to go to the Road Boards and 10s. to the County Councils. But this year these amounts have been doubled, and the consolidated revenue has to pay £1 to each Road Board and £1 to each County Council for every pound that is collected as rates. I will point out to the honorable member for Akaroa that if the result was bad last year it is doubly bad this year.

Mr. GISBORNE.—The consolidated revenue gets the Land Fund.

Mr. WASON.—That has nothing to do with the question. We have nothing to do at present with the question where the Consolidated Fund comes from. The point is, that the consolidated revenue has this year to pay double the amount it paid last year; and, as far as I can see, the Government have made no provision for the extra demands that will be made upon the Consolidated Fund. I believe that the extra amount that will have to be paid for the next six months will be about £20,000. Looking carefully into the Financial Statement and the Financial Arrangements Bill, and considering the unsatisfactory nature of the whole thing—considering that the settled districts are not to get money for keeping their roads in repair, and that the Government have decided to double the amounts to be paid to local bodies out of the consolidated revenue—I think I shall only be doing my duty in moving, That the Bill be read a second time this day six months.

Mr. ROLLESTON.—I agree with very much of what fell from the honorable member for Akaroa. I agree with him that the finance of the Government is not good, by which I suppose he means that it is bad—

Mr. MONTGOMERY.—No.

Mr. ROLLESTON.—And I agree with him that their policy is not thorough, by which I suppose he means that it is treacherous and delusory; and I agree with him that next year there will be a greater deficit than is anticipated by the Premier. I agree with him in all those opinions; but I do not agree with him in the conclusion he has come to to support a Ministry whose finance is bad and whose policy generally is treacherous and delusory. I think he balanced very nicely the position which he occupied, but that he exhibited a political Blondinism for which he is rather to be pitied. I shall explain in a very few words why I shall vote with the honorable member for Coleridge, because I think every member of this House is bound to take a part in a debate of this kind. I think it my duty to do so particularly because I represent a part of

the country which will be grievously wronged if the proposals of the Government are carried into effect. I should like to know whether the honorable member for Akaroa was not aware, and whether we had not all good cause to be aware, that if the honorable member for the Thames was at the head of the Government we should have a policy of this kind. I felt that we should have such a policy, and I believe that the honorable member for Akaroa felt it likewise, and knew that from the first we had nothing to expect from the Premier but a policy of this kind. If the honorable gentleman had not brought down this policy he would not have acted consistently with his previous action in this House. I have no confidence in the Government under any circumstances, or in any particulars of their policy. We have a Government framed on a principle of counteraction, and no such Government is at all likely to carry out any beneficial or continuous line of policy. It seems to me that, when an honorable member holds such strong views as I hold upon a question such as this, he is bound to take every opportunity of expressing his opinion of, and voting against, a Ministry which brings about such a state of things. The country has for years past grown in the belief that its public men will take no step that in any way leads to the alienation of its Land Fund. For my own part I have seen, ever since Sir Julius Vogel introduced his Public Works policy, that the Land Fund was in danger. There is no doubt that the people of Canterbury thoroughly believed they would continue to keep their Land Fund; and under the proposals of the late Government they certainly derived great benefit. I think that this case affords a very strong example of how pernicious a thing it is to suppose that men who are so ill-assorted can bring down measures of a character satisfactory to the country. I think the following words of Canning apply to this case:—

“Away with the cant of ‘Measures, not men’—the idle supposition that it is the harness and not the horses that draw the chariot along! No, Sir, if the comparison must be made, if the distinction must be taken, men are everything, measures comparatively nothing.”

Sir, I appeal to the honorable members from the North to consider what they are doing in abandoning the men of the South. I ask what the men of Wellington are likely to get in the future by ignoring the rights of the South and the justice which is due to it. These wrongs which affect one part of the country will surely recoil on the heads of those who bring them about. But what is the meaning of the present move on the part of the Government? It is a political card that is played for the purpose of securing position. What did those honorable gentlemen who went to Auckland and addressed their constituents the other day say?—and remember the Premier said those gentlemen represented the opinions of the Government. They said that the policy of the Government was Separation. I warn honorable gentlemen against supporting the Government in this course of action. What are the honorable members from



Nelson and other parts of the colony to expect from this? What is Otago doing? It has already contracted large liabilities in the shape of Treasury bills which ought to be returned out of the Consolidated Fund. But that has not been done, while large tracts of country are being laid aside to save themselves and the land from a scheme of colonialization. In supporting this, and thinking that by doing so they are doing a great colonial good, honorable members are making a mistake. They are doing a great wrong, which will work its own remedy. Sir, I shall vote consistently against the second reading of every one of these Bills, which ought to be taken together. I am sorry that we have not all these Bills now before us. We do not know exactly what the Government propose to do in regard to borrowing. We are told that they intend to borrow £4,000,000, but that probably the amount would be lessened. I think it is the duty of members from the South to show their disapproval of the policy of the Government by voting against the second reading of these Bills throughout. We have got from the Government a policy stating that the exigencies of the colony demand that the Land Fund shall be taken, while at the same time they are proposing to go into the Home market to borrow. At the same time we are saying that we have a deficiency of £2,000 a day, and we are professing to colonialize the Land Fund in order to give greater security to the public creditor, while we are grasping from the South all we can get in the shape of Land Fund for local wants. The Minister for Lands has asked, with wonderful *naïveté*, "What are we doing? The Land Fund is gone, and yet we are going to save from the colony 20 per cent." What does that mean? If you take nothing from nothing, can 20 per cent. remain? That is the problem. I will have nothing to do with this policy in any shape or form.

Mr. ORMOND.—After hearing the speeches of the honorable gentleman who has just sat down and of the honorable member for Akaroa I feel great difficulty in deciding to which side of the House I belong. I think that the speeches of the honorable member for Akaroa and the honorable member for Bruce gave us a very good explanation of the reasons which induced the Government to delay bringing down these proposals until now. It is evident that if the Government depended upon their supporters they would have a very poor chance in this House. I understand that this is a Ministerial question, and, notwithstanding the reasons which the honorable member for Akaroa gave for not supporting the Government, I believe that if the Government remain in office they will be kept in by the votes of gentlemen who, like myself, are not amongst their supporters. I could not help being reminded of the observations of the honorable member for Akaroa a few nights ago to the effect that he had some hopes of the Government: as I understand him, he has now no hopes of them whatever. On a late occasion the honorable gentleman began by finding fault with the late Government on the following grounds: Because we had a deficit which we could not provide for; because

we took the Land Fund; and because we could not carry measures in this House. Now, let us see what the honorable gentleman thinks of the present Government. He says they cannot carry out their policy, and that their finance is bad. Well, then, the next reason given was because they took the Land Fund. I suppose he is of the same opinion as the honorable member for Totara, that it is better to take £300,000 instead of £58,000 as the honorable member for Egmont did. No doubt that is a good reason for my honorable friend to urge. I confess I should not hesitate long, and I do not think that the honorable gentleman would himself hesitate long, in deciding upon a question as between £58,000 and £300,000. Another reason given by him why he voted against the late Government was, that they were unable to carry their measures. Well, what is the position of the present Government? Let us first take the measure we have before us now. I suppose the honorable gentleman will admit that, unless we on this side of the House supported the Government, they could not carry this measure. We were in a state of great alarm lest we should find the Government defeated on the Land Bill. I do not accept the Land Sales Bill as a necessary corollary of their policy. I voted against that Bill; but had it not been for some of my friends helping them they would have been in a minority this afternoon, and they would be in exactly the same position with respect to this Bill now before us. Myself and others intend to see this Land Fund matter through; we shall not desert them like the honorable member for Akaroa on so important an occasion as this. My honorable friend then said there were many other reasons why he voted against the late Government. I have no doubt there are many other reasons; but I would remind my honorable friend, if among those reasons he is looking forward to the possibility of a Middle party, he is calculating entirely without his host. We had a Middle party this session, and we shall not hear any more of such a party for many years to come. If the honorable gentleman waits until he is again in the position he was in a few days ago—at the head of a Middle party—he will wait a long time. If that is his reason, I would advise him to give up the Government at once. He says their finance is not very good, but that he will vote for them this session. Well, I am going to vote for them this session. My honorable friend did not give any reason why he votes for them this session, but I will tell my reasons plainly. I am so confident of the difficulties they will get the country in before the House meets again that I think it is the best thing to let the colony see how they carry on its affairs: so I shall vote for them this session. I think that the honorable member for Akaroa will come to the same conclusion before we come back next session, even if there be no Middle party. In the debate we have just had I must say that I listened attentively to the speech of the Hon. the Premier on this occasion, hoping that we were going to have from him some statement like that which we have a right to expect from the Government on the present position of affairs; and I

Mr. Rolleston

am bound to say that I was greatly disappointed. I do not think that the Hon. the Premier has dealt fairly with the House or the country on this occasion, and I should not now be on my legs if it were not that I consider it is our duty to express our opinion on the financial condition of the colony. Sir, the honorable gentleman ought to-day to have explained to us the present financial position of the colony, and as to how, under the changes he has proposed, he is going to provide for the public service of the colony for the next six months. That has absolutely not been done. The honorable gentleman did not attempt to deal with that important question, and which it is the duty of that bench—I do not say especially of the honorable gentleman, but of that bench—to inform this House upon. If we get no further financial explanation from the Government than we have now, I say that the House will go on in its consideration of the financial position of the colony without any information as to how the Government mean to provide for the deficiency which they themselves acknowledge exists. That is an entirely wrong and false position for this House to be in, for the Government themselves to be in, and for the country to be in. The honorable gentleman himself in the speech he made to-night admitted that there was a deficiency, and he did not refer to many of those items which we know are not included in the Statement. He did not show the Supplementary Estimates, the means for providing for charitable aid, or the means for supporting education, as the Bill has been changed in respect of capitation. It is not too much to say that the financial proposals exhibit a deficiency of little short of half a million of money. That honorable gentleman has not thought it his duty—the gentlemen on those benches have not thought it their duty—to state to the House how it is proposed to meet the deficiency. It is the duty of every honorable member, whether on this side or not, to insist upon such a statement being made. The honorable gentleman in his speech to-night told us that the Waste Lands Sale Bill was an essential part of their policy. I am not going to take up time by talking at any length on that Bill. All I care to say about it is this: Having stated that I was going to support the Government on the generalization of the Land Fund, I think that Bill has no connection at all with their policy. I look upon it as a measure which, if carried out, will undoubtedly act adversely to the interests of a great portion of the colony, especially the North Island and the west coast of the Middle Island; and I am utterly at a loss to find any reason why those honorable gentlemen brought it in. The only reason I know of was contained in a former speech of the honorable member for Akaroa, in which he said that the one condition on which he then followed them was, that they should bring down a scheme for the uniformity of price for land all over the colony. If that was the reason, then the honorable gentleman is not grateful in deserting them on the first occasion on which they are in want of assistance. As one of the representatives of the North Island I protest against this measure, as being absolutely adverse to the

interests of the North Island, and as, moreover, being a block in the way of the Government finance being possible. I did not vote for the Waste Lands Sale Bill. I am not going to do anything of the kind. I really hesitated whether I should not go outside rather than vote in a way that would have the effect of driving those gentlemen off those benches. I voted against the Bill, but I considered it no part of their policy, and that it had nothing to do with the question of the generalization of the Land Fund. I will not now go into the financial part of the question, although, to my mind, it is a very serious question indeed. With a finance in the position that ours is in now, it is a serious question whether or not we shall adopt a policy which will prevent any chance of the Estimates on which those honorable gentlemen rely being realized. That, in a few words, must be the result of this Bill during the next six months. I do not agree with those who have spoken of the Land Fund estimates of my honorable friend the member for Egmont as being delusive, and particularly as they were applied to the North Island. I say that those who spoke on this question did not generally consider what lands there may be in the North Island which are likely to be disposed of and the money placed at the disposal of the Government. I think I know something about the lands in the North Island which are likely to come into the market during the next six months, or which may come into the market if the Government choose to push on the surveys and use their influence with the Waste Lands Boards of the colony to bring the lands into the market. Although the idea has been derided in this House, I am inclined to think that in the Province of Auckland the Government may realize very nearly the amount estimated by the honorable member for Egmont. They would have realized more had they not brought in the measure they have now brought in. I will name one or two transactions under which I think that this House will agree with me that there will be a Land Fund accruing from the Provincial District of Auckland. I would name the Patutahi Block, for which £40,000 or £50,000 will be received. That land is now ready for sale. When the late Government went out of office it was in a position to go into the market and be disposed of to-morrow, and I believe that that block will bring in £40,000 or £50,000. Then there is the block of land which has been selected for the Broomhall Settlement. The Government have only to use that influence which they tell us they can exercise in Native affairs, they have only to remove some trifling difficulties which stood in the way when the late Government went out of office. We were led to believe that those difficulties would be easily overcome in a short time. From that transaction there would be an asset of £35,000. I venture to think that the Government will be able, without any difficulty, to complete that arrangement, and they will have the money in their chest within a couple of months from this time. The Government land purchase officers say there are only one or two Natives now objecting, and the honorable

member for the Western Maori District (Mr. Nahe) can exercise a large influence so as to enable the purchase of the block to be completed. I do not suppose there can be any doubt about that being a realizable asset. There is a large amount of land in the Waikato and other parts of the North Island which I believe would have come into the market had the Government left the price of land alone. I believe that all the Government are doing is opposed to the interest of the North Island and opposed to any possible finance. The Land Sales Suspension Bill is a measure which I cannot support, which I shall not support, and which, in my belief, is entirely separate from the question of the generalization of the Land Fund. The Premier, in his speech, said he would give us no financial explanation because he was afraid of wearying us with another Financial Statement. And the honorable member for Auckland City East, who appeared to have a very intimate acquaintance with the proposals of the Government—in fact, he seemed to know more about them than the honorable gentleman who gave the explanation to the House—also said there was no need to have another Financial Statement. Well, if honorable gentlemen on the other side are satisfied with the Financial Statements we have heard from the Government, all I can say is that they are easily satisfied. I was very glad to hear that the honorable member for Akaroa was not at all satisfied. Unless he was so thorough a partisan as to be absolutely blind he could not be satisfied, because the statements we have had are absolutely incorrect, very contradictory, and misleading, and you can hardly name any single point throughout them on which we had not two or three different views from the Government. While the honorable gentleman was speaking, the question occurred to me, How many opinions have we had from the Government on the Inscription of Stock Bill? In the first place the Premier, soon after taking office, in answer to a question, said they were going to take up the Inscription of Stock Bill. Two or three weeks afterwards we had another view presented to us. It is a peculiar view, which I shall venture to quote, and I think the House, if it has any sense of inconsistency, will be rather astonished. The Premier, when speaking on the Financial Statement, said,—

“The next thing we were told, Sir, was that we could get out of all our difficulties by means of the Bill for the inscription of stock. I may say that in my belief it is doubtful if it is desirable that we should go on with that Bill. I believe our doing so would be disadvantageous to the country, as it simply means that we should write fresh loans against the credit of the colony. It is simply another means of borrowing. One would have imagined that great profit was to be gained by the transaction; but it is nothing of the kind. It is simply a proposal to borrow further sums. Having fed so long upon charity, the honorable gentleman now wishes to call into existence another being, unaccustomed to his wiles, with whom he may deal with some chance of success. A more impudent proposal was never made in any Legislature.”

Mr. Ormond

A few days ago I went to my pigeon-hole, and I found a Bill there called the Consolidation of Stock Bill, with the name “Hon. Mr. Sheehan” upon it. I read it through, and found that in its main features it was a *fac-simile* of the Inscription of Stock Bill, which the honorable gentleman said was the most impudent proposal ever made to a Parliament. I think members on this side of the House are entitled to say that a more incomplete and contradictory Financial Statement has never issued from the Treasury benches. Another point I shall refer to is in connection with the loan question. Now, we are told that very probably this House may separate this week. I should like to ask whether it is at all reasonable that the Government, which up to the present moment has not sufficiently made up its mind as to its financial proposals to be able to state them, should at a still later period bring down a proposal to borrow four millions for purposes some of which, this side of the House will do its utmost to prevent them getting money for, such, for instance, as the so-called provincial liabilities. I was glad indeed to hear that even amongst their own supporters there are men who think more of the credit of the colony than to assist in carrying such a measure as we understand they will propose. That is a question on which a great deal more depends than the fate of this Government. We have here to consider the credit of the colony, and if that loan be borrowed for the purposes mentioned our credit will suffer to a degree which cannot be calculated. I feel certain we shall control them in this matter, and shall not allow them to play ducks and drakes with the credit of the colony. I believe the main reason why we have not this Loan Bill before us is really because the Government do not know at present what to bring down. I take it that the only finance possible to them under their proposals is to provide for the deficiency in revenue by loan. Notwithstanding what they said about the finance of the late Government, they are going to take a much more unwise step. They talked about ours as a “pawnbroking finance”: I would like to know what theirs is. All that they said about the late Government recoils on their own heads with a thousand-fold force. They are not only following our course, but they are going ten times further than we dreamed of going. What did the Premier say when he sat in opposition? He used to twit us with a want of care for the interests of the country, and said it was our duty to introduce some scheme of direct taxation to provide for the wants of the country. What does he do now? He said then that in half-an-hour he could go into the Ministers’ room and bring down what was wanted. What course does he take now? The cry is that everything will be done next session; and in the meantime New Zealand is to have its ordinary revenue aided largely by borrowed money. In voting for the second reading of the Financial Arrangements Bill, I do so because I support the principle of the generalization of the provisions of the Land Fund; but I disagree with many of the provisions in the Bill, and I specially disagree with the proposed allocation of 20 per cent. of

the Land Fund. To my mind that proposal as made will utterly take from the outlying districts of the colony any assistance whatever from the Land Fund, and give the Land Fund to the rich centres of population. That is, indeed, quite in accord with the other proposals of the honorable gentleman with regard to representation, &c., but it will not accord with the views of the House and the country.

Mr. STOUT.—I think the debate to-night has been entirely useless. It has simply been a reiteration of the criticism passed on the Financial Statement of the present Colonial Treasurer, and nothing new has been brought out. There was nothing in the statement of the late Colonial Treasurer except that the proposals of the present Government would leave the colony in a worse state than if he had remained in office. I might apply to his speech a Shakespearian phrase with regard to iteration, but I will refrain from doing so. The whole of the speech of the honorable member for Clive, as well as that of the honorable member for Avon, consisted of little bits of carping criticism. We have heard the remark of the Premier about preparing a policy in half an hour at least twenty times within the last few weeks. The honorable member for the Taieri says, "Hear, hear." Does he call that statesmanship? It is mere peddling, carping criticism. What did the honorable member for Avon do to-night? As soon as the honorable member for Akaroa finished he got up and rushed at him like a terrier, and nagged, and nagged, and nagged, and took up a little bit of his speech here and a little bit there. The honorable member for Avon said to the members for Wellington, "If you leave us men of the South, you will have Separation." I say the men of the South are the members from Otago, and not the members from Canterbury. The members from Canterbury have never been the men of the South, but have always been hanging on to the coat-tails of Cook Strait, and have never had a mind of their own. It is perfectly ridiculous to hear them talk about "us men of the South." Why, when they go into the lobby they will not have one-third of the Southern representatives with them. Then the honorable gentleman referred to Nelson. "Oh, Nelson will be in an awful fix if she allies herself with the present Ministry." Something terrible was to happen to her. He did not say what, but I presume he meant Separation in this case also. He points to the North Island and says, "Then you will support Otago. Otago is a most greedy province—it is grabbing everything; and under this proposed arrangement Otago is the province which will get all the gold—the rest are only getting tinsel." That must be very consoling to the honorable member for Waikouaiti and the honorable member for Taieri: one of their own party tells them that if they oppose the Government they will be actually doing an injury to Otago. I am glad the honorable member for Waikouaiti is taking a note of that. This is what one of their own party tells them. The honorable member for Avon finds himself in a very poor condition. He is continually saying to the House, "Pity the

sorrows of a poor old man." I think the honorable members for Nelson and the honorable members for Wellington might use a Scriptural phrase and say, "Weep not for us, but weep for yourself and for your children." That is the position he is in. I do not think the members for Nelson and Wellington care much for his support. I do not know what he has done in the past to cause the men of Auckland to rush into his arms. Then we have the honorable member for Clive. He was to approach this question like a statesman; and how did he approach it? He first says that he is going to support the Bill. Well, I presume he is going to support this Bill because he thinks it is good for the colony. But he says he wants to create the same class interest, the same bitterness of Little Peddlingtons, in this colony, and to put district against district; and he says to the Canterbury men, "Oh, if I were only a Canterbury man I would not support it." This is what he calls statesmanship. Another reason why he is going to support this scheme of the Ministry is, that he thinks they will be sure to get into such a mess during the recess. Sir, is that statesmanship? Here are two honorable members of this House, who aim at being something more than mere Municipal Councillors, and, I presume, who think, like politicians, that they should be guided by principle; and what is the principle that the honorable member for Avon asserts? No principle whatever beyond trying to set every little centre of population against the neighbouring one. What does the honorable member for Clive say? Instead of approaching this as a subject affecting the welfare of the colony, he is going to support it because it will land the colony in a mess. And he calls that patriotism and statesmanship! If these are the class of men who are to lead this Colony of New Zealand it is time the colony got rid of them. I am sure the smallest Road Board in the whole colony would not submit to its members talking in that way—a Road Board member getting up and saying to one man in the riding, "If you don't vote for my bridge I will vote against your road. You will be paid back for your refusal, and it will come home to you;" and another member saying, "I will give a vote for that bridge because I think it will bring the Road Board into a mess." This line of conduct is what some honorable members call statesmanship. I read in an article in a recent number of the "Fortnightly Review" a statement that the House of Commons is becoming like a Municipal Council. I think this House is going below the level of a Road Board when its members talk and act in the way I have just pointed out. The next objection was, that this scheme was opposed to settlement. I cannot understand that. If the lands in Hawke's Bay are raised from £1 to £2 an acre, how will that prevent settlement? I know for a fact that lands in Hawke's Bay, which a few years ago were sold at 5s. or 10s. an acre, are now fetching £3 or £4 an acre, and sometimes perhaps up to £20. Now, who has gained that money? Has it been the colony? It has been the speculator, and I hold that, if it can pay speculators to buy land at 5s., 10s., and 15s. an

acre, and hold it, it will better pay the colony to hold it. Better that the colony should not have any land revenue at all until the land is required for settlement, and when people can afford to pay £1 or £2 an acre for it, than that speculators should buy cheap lands, not for purposes of settlement, but in the hope that a rise in the value will give a profit on the transaction. I think that the State should get that profit. I will now refer to the Inscription of Stock Bill. The honorable member has entirely travestied the words of the Premier. What the Premier said was, that he did not suppose that the Inscription of Stock Bill would pay off the debt. That was all. The Inscription of Stock Bill passed this House last session, and there was no opposition raised to it. It is not some grand new scheme that has never been raised before. It is an old Bill that was thrown out of the Upper House last year. If we cannot pay off our debt, what is the use of saying that there is going to be a great gain? The thing is absurd. This question has not been approached as a political question should be. It has been approached merely in a spirit of carping criticism on the one hand; and on the other hand, instead of striving for national life and for the unity of the colony, discord has been fomented, and districts have been set up against districts. That is not the way to promote the unity of the colony. The honorable member for Avon and the honorable member for Clive both seem to ignore Otago. Do they know the population of Otago? Do they know what that population must ultimately become as soon as free settlement takes place in the interior, and it can be opened up by roads and railways? I say that Otago will have half the population—I believe, in fact, it now has—of the Middle Island; and I believe that within a few years, unless the Native difficulty is soon got rid of, Otago will have a population as large as that of the North Island altogether. And is Otago to be entirely ignored? The honorable member for Clive and the honorable member for Avon speak as though Otago is to have no voice in the affairs of this colony whatever. I say that Otago deserves as much consideration as the Province of Hawke's Bay or the Province of Canterbury, and it will be a very bad thing for the colony if Otago is ignored by this Assembly. I consider that the amount of revenue that Otago has given all along to the Government has been very great, and I say that the Otago members have never lobbied, as sometimes members from other districts have lobbied, for the advantage of particular classes of the community. If the members from Otago had been fired with the same enthusiasm to preserve their pastoral tenures as some members from Canterbury have been this session, I presume the Southland and Otago leases would now be in the same position as those of Canterbury; but they have striven to look at the matter from a settlement point of view and from a colonial point of view. And I say that in various things that have happened in this colony Otago has all through set an example to the country, and has not shown such a selfish spirit as has been shown by some other parts, the members from

*Mr. Stout*

which think of nothing else but pastoral interests. It seems to me that this night has been uselessly spent. There has been nothing new added to the discussion; no new discovery has been made in the criticisms of the financial proposals; and I cannot understand why the whole day has been spent. It seems to me an obstruction of public business. As to the Waste Lands Sale Bill, in my opinion it is a necessary corollary of the other, and I, for one, think, if it is not passed, that the Financial Arrangements Bill ought to be dropped, and those who want the Financial Arrangements Bill to be carried should vote for the other also.

Mr. REID.—If we want an example of carping criticism we have it in the speech of the honorable gentleman. What have we had from the honorable gentleman in the discussion? A long string of the most petty, carping criticisms of the speeches of other members who are as much entitled to discuss the question as the honorable member. I do not know how the honorable member can tell whether the speeches were to the point or not, seeing that he was in the lobbies most of the time.

Mr. STOUT.—I rise to a point of order. I was present when both the honorable member for Avon and the honorable member for Clive were speaking. The honorable member himself was not in the House, I think.

Mr. REID.—I think it is not at all complimentary to the members of his own side of the House who have been addressing us this evening, and especially to the Premier, to say that we have had no new light thrown upon the question during the discussion. I think we have had a blaze of light, and in this respect I should like to compliment the honorable member for Akaroa, and congratulate him on the fact that he now finds that he can be safe in denouncing the policy of the Government which he supports—that he finds them in the position that he can safely record his vote against them and at the same time secure that they shall not thereby be disturbed. That is a very gratifying position to be in. It enables the honorable member to save his conscience, and at the same time to show his constituents that he is acting in their interests in defending their land revenue, whilst the Government nevertheless remain secure. I am sure it must be a matter of much satisfaction to the honorable member to find himself in that comfortable position. He has given us a repetition of the reasons why he voted against the late Government. Now, there is a very short reason why he opposed the late Government. He gave us some reasons to-night which he did not give on previous occasions. One reason why he voted against the late Government was, that he wished to see them removed from those benches; and I think, after assisting to get the late Government out, he is not quite satisfied yet with the change. In fact, he told us so in so many words this evening; and next session, I have no doubt, he will be prepared to vote against the Government, and perhaps the result will be more satisfactory. But, if one of his reasons for voting against the late Government was that by

their proposals they took too much from Canterbury, I ask him, how does he better that by voting for the Government who are now on the Ministerial benches? True, he tells us he is not going to vote for this Bill, but at the same time he is prepared to maintain the Government in office; and if it were a reason to vote against the late Government—not on one occasion but on every occasion—that they were taking too much from the land revenue of Canterbury, surely it is as good a reason to vote against the present Government when they take not only a portion but the whole of the land revenue. A remark was made, by either the honorable member for Akaroa or the honorable member for Avon, that these proposals rob Canterbury and are unjust to that province. I contend that these proposals are more unjust to Otago than to any other part of New Zealand. That is the district where the land revenue of the future will come from, and it is not too much to say that before two years are over, instead of taking from the Province of Otago the sum which is now taken by these proposals, double the amount will be drawn from that province; while, in regard to the Province of Canterbury, its proportion will be diminished year by year. The amount to be contributed to the land revenue by Canterbury will diminish year by year, and the amount to be contributed from the Provincial District of Otago will be increasing for many years to come. I must say that the Premier in his speech in bringing forward these proposals was exceedingly contradictory and inconsistent. He told us he would have liked to have gone to the electors with this question; but then, he said, that would have caused a further delay, and much of the benefit would have been lost. Much of what benefit?—because he immediately followed the remark by telling us that the Land Fund is practically gone, and that, on the whole, there would be a deficit—he told us that, although the whole of the land revenue was taken into account, there would still be a deficit. I cannot understand such reasoning as that. If it is that the whole of the revenue is really absorbed, if it is that there is no surplus, then the whole of his statement is a delusion. But what is the meaning of members from the North getting up and addressing the House, and telling us that they have been striving for this for years; that it has not come a moment too soon; that we are doing tardy justice to them at last; and that the whole of the colony is to benefit greatly? What, I ask, is the meaning of this, if the land revenue is a myth? I must say that such reasoning does not convince me. I think it will be a great loss to Canterbury and to Otago. When an honorable gentleman commences his speech by telling us that there is practically no land revenue left, and then winds up by telling us that hereafter the names of the members of this Assembly who give up this land in the public interest will be held in public esteem, it seems to me that there is a great inconsistency in his remarks, and I think it would be much better, when he approaches a matter so important as this, that he should do so in a more straightforward and candid manner. We

of the South know that it means that we shall be treated with the greatest injustice—that our Land Fund is to be taken away, and to be taken away in a manner that shows us the injustice of it. Much has been said of the late Treasurer, who, we are told, proposed to take away the Land Fund from these provinces surreptitiously. How is it that his proposition is called surreptitious, and this proposition straightforward? In what way the proposals of the honorable member for Egmont are more surreptitious than those in the statement before us I cannot conceive. The one proposed to take a fixed sum in proportion to the expenditure on public works in the district from which the money was to be taken: the other proposes to take the whole lot. In what way do they differ, except that the proposal of the honorable member for Egmont was the more moderate and reasonable? I have heard honorable gentlemen say that the late Government did not propose to do this according to law. Why, Sir, my late colleague submitted his proposals to the House, and would have asked for authority to carry them out. Nothing could be taken without the authority of the law, and it is quite unworthy of honorable gentlemen to get up and say that we proposed to do something which was contrary to law. The one proposition was brought before the House in the Financial Statement, and so is the other. It had to be done according to law in either case. This I will say, further: that the proposal of the late Colonial Treasurer was quite justified under all the circumstances. Looking at the fact that the Land Fund was relieved of the charge of education, and that that burden was placed upon the consolidated revenue, looking at the fact that the Inscription of Stock Bill was proposed to be passed into law, by which it was hoped that our loans would be transferred and that a large amount of interest and sinking fund would be saved, which would have relieved our burdens in future years, I say that our proposals were sound, and were much fairer than the proposals which are now brought before the House. I am quite prepared to defend the proposal which the Government of which I was a member brought down, when I have to deal with that question. The honorable member for Mataura expressed himself as being rather dissatisfied with the terms of this proposal. He thought it would be a very good one if Southland were excluded from its operation. I agree with him; but I go a little further. I think that if Canterbury and Otago were excluded the proposal would work much more satisfactorily: at any rate, I would give it my hearty concurrence. It is a large question that we are called upon to deal with, and we had better treat it tentatively. If we go too far at once it may create confusion. I therefore recommend that the three districts I refer to should be excluded, and let us try the experiment on the other provinces in the colony. If the representatives of these districts are highly satisfied with it when next we meet, I promise the honorable gentlemen that I will consider whether we should not extend the scheme to the whole colony. Sir, we are told that this

proposal is to give us finality in our finance. I see very little prospect of finality in the proposals before us. I doubt very much if we shall ever see finality in matters of finance. It will just be altered and changed from time to time as the bulk of the representatives of the people in this House feel to be in the interest of their constituents. There is little chance of having finality in regard to the ordinary financial business of the colony, and to my mind it is simply idle talk to speak in that direction. No one can promise finality in these matters, and I am not sure that it is a desirable state of things to have finality in finance, because it means that we shall have got into a state of inactivity and become stationary. To arrive at such a stage as that in a young country would not, to my idea, portend any great success in the future. I have no wish to see finality in our finance, especially if it is to be brought about by such proposals as these. I object very much to this change, as a violation of all the principles which have guided us in dealing with the financial affairs of this country in the past, a violation of a principle in itself beneficial—namely, that of giving to the land districts the revenue which accrues within them, and using it for the benefit of the interests of those who acquire land in the districts. It has been said that it would be fairer to take this revenue from those districts where the land is sold at a high price, in order to distribute it amongst others; but I would ask this: Why do the people give high prices for the land? Simply with the object that they may have the money returned to the district in the shape of improvements upon the land. I cannot conceive upon what ground such an argument can be brought forward. I believe the fact will be that you will put a stop to and retard settlement, because the effect of raising the price of land, I contend, will be injurious. It has been argued here by the honorable member for Dunedin City who spoke last that it is not to the benefit of the State to dispose of its lands at low rates, but to get those high prices which are secured by speculators who come between the State and the second purchaser. I ask, what effect will that have?—because I hold this view: that the best thing the State can do is to sell its land at a low price, that is if it wants to encourage settlement of a desirable class. It is one of the first questions asked in the Home country by well-to-do intending settlers, "What is the price of the land?" They will not come to us if we charge them a high price, but if we let them have land on deferred payments at prices ranging from 20s. to 30s. per acre they will come to us immediately. Other countries are offering them land at from 5s. to 7s. 6d. per acre, or even less, and sometimes they offer them other benefits as well, in the shape of assistance in passages. If this is the case, surely it is not prudent on our part to fix our lands at a high price. It drives away those who have a little capital, and I think that is a great mistake, and therefore I must oppose this Waste Lands Sale Bill at every stage. If it must be that we are to pass this Financial Arrangements Bill, and appearances seem to indicate that we are, whereby the land revenue

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is to become colonialized, let us hope that the Waste Lands Sale Bill, which fixes the land at so high a price, will not be passed. If we do pass it we shall be doing a great injury to the settlement of the country. Even in respect of the people in the country I do not think it is beneficial to the colony to secure a high price for the land. I know the people of Canterbury are enamoured of their system, but my experience has taught me that it is much better to get men to take up land and occupy it profitably, even though they pay a very low price—that it is much better to let them have the greatest amount of capital left to them to develop the land. It is a mistake on the part of the State to attempt to wring all it can out of intending settlers. They can spend their capital with much more wisdom than the State can. I think it is to our interest to dispose of our land at the lowest price—to insist on *bond fide* settlement, and on a certain amount of improvements within a given time. In the early days we had excellent land laws in this respect in Otago, but, unfortunately, there were few persons in the province at that time, and for the furtherance of their own interests they got those restrictions removed. Our colonial land laws have been weak in that respect. Let us get the land taken up and improvements made. That will be much better than getting higher prices for the land, which will only have the effect of repelling settlement. The purchasers of our land bear the burdens of the country, and it is these people whom we should endeavour to fix upon our lands, and encourage to create homesteads and to become the prosperous employers of labour. Whatever may be done regarding the Land Fund, I hope the price of our lands will not be fixed at so high a rate as is provided in this Lands Sale Bill. There is one point to which I should like to refer, and that is the revenue that has accrued during the last five months as bearing on the estimate of land revenue made for the year. Some reference was made to Otago in this matter, and I find, by the return laid on the table, that Otago has already contributed more than half of what it was estimated to yield for the year. I am aware that the pastoral assessment is included in this amount, but, even exclusive of that, the excess is considerable. I know that the land revenue in that district will even exceed the estimate we formed for the year, and I may say that that is not a fair criterion of the revenue that will be derived from the district in the future, because, during the last two years, owing to the system under which we have to pay compensation, and to the fact that the leases are about to expire, there was a great disinclination to cancel leases, seeing that the compensation was so heavy. There will be plenty of land open there in the future; and under the Bill which we have already passed, and which gives such large powers to the Governor in Council and to the Waste Lands Board in dealing with the land, the land revenue in Otago will be very considerable some eighteen months or two years hence. I think, therefore, that it is a great injustice that these proposals should be carried into effect in that district; and

when I know that it is being carried into effect by representatives from that part of the country mainly to carry out some party action, I cannot but regret that it should be so. I know that many of the representatives from that district have expressed themselves as very much opposed to such a proposal, and I am forced to the conclusion that their adhesion to the proposal now is solely for party purposes, because I am sure they do not believe in the principle to which they are giving effect. I regret that this should be brought about by the representatives of that part of the country. The speech of the honourable member for Dunedin City (Mr. Stout), in which he told us that the great bulk of the Middle Island members would go into the lobby against the honourable member for Avon on this division, was not at all gratifying to me, bearing in mind, as I do, the very strong feeling that has been expressed by the people of the district as to the great injustice it will be to them to seize their land revenue and make it colonial. As to the proposal to return 20 per cent. of the land revenue to the district, it simply means nothing. Owing to the fact of 20 per cent. being returned in those districts where the whole of the Land Fund is absorbed in paying their charges, those districts will have to get 20 per cent. additional to what they are already in receipt of, and that means that it will have to be taken from the wealthier districts in order to make up the deficiency. It would be better to make it all colonial at once. The only difference in the proposal is one that I approve of, inasmuch as it prevents a certain portion of the land revenue from being brought to this House to be voted. Anything which will prevent the sums that are to be given to the districts for opening up roads being brought here to be scrambled for I will support. I hope that out of all these proposals some scheme will be devised by which all these small matters may be kept out of this House. If not, the result will be that every one who wishes to gratify his constituents will get sums of money placed on the Estimates for a road here and a bridge there, and some other small work elsewhere. Then we shall most undoubtedly have party action, and the result will be that members will go with a party, not because they believe in their views, but in order to get some small work carried out, and thereby ingratiate themselves with their constituents. Such a state of affairs will not be beneficial to the colony or to the conduct of its public affairs. I shall vote for the motion that this Bill be read a second time this day six months; and with regard to the Waste Lands Sale Bill I shall take the same action on every possible occasion.

Question put, "That the word 'now,' proposed to be left out, do stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	45
Noes	...	...	...	...	12
Majority for	...	...	...	...	33

## AYES.

Major Atkinson,  
Mr. Baigent,  
Mr. Ballance,  
Mr. Barff,  
Mr. Beetham,  
Mr. J. C. Brown,  
Mr. Bryce,  
Mr. Curtis,  
Mr. De Lantour,  
Mr. Dignan,  
Mr. Fisher,  
Mr. Gibbe,  
Mr. Gisborne,  
Sir G. Grey,  
Mr. Hamlin,  
Dr. Henry,  
Mr. Hislop,  
Mr. Hursthouse,  
Mr. Joyce,  
Mr. Kelly,  
Mr. Kennedy,  
Mr. Macandrew,  
Mr. Manders,

Captain Morris,  
Mr. Murray,  
Mr. Nahe,  
Mr. Ormond,  
Mr. Rees,  
Mr. Rowe,  
Captain Russell,  
Mr. Seymour,  
Mr. Sharp,  
Mr. Sheehan,  
Mr. Stout,  
Mr. Sutton,  
Mr. Swanson,  
Mr. Taiaroa,  
Mr. Takamoana,  
Mr. Tawiti,  
Mr. Thomson,  
Mr. Williams,  
Mr. W. Wood,  
Mr. Woolcock.  
*Tellers.*  
Mr. Johnston,  
Mr. Tole.

## NOES.

Mr. Bowen,  
Mr. Hunter,  
Mr. Lumsden,  
Mr. McLean,  
Mr. Montgomery,  
Mr. Richardson,  
Mr. Rolleston,

Mr. Shrimski,  
Mr. Stevens,  
Mr. Teschemaker.  
*Tellers.*  
Mr. Reid,  
Mr. Wason.

## PAIRS.

## For.

Mr. Bastings,  
Mr. Bunney,  
Sir R. Douglas,  
Mr. Hodgkinson,  
Mr. Larnach,  
Mr. Lusk,  
Mr. Pyke,  
Mr. Seaton,  
Dr. Wallis,  
Mr. R. G. Wood.

## Against.

Captain Kenny,  
Mr. Moorhouse,  
Mr. Burns,  
Mr. Murray-Aynaley,  
Mr. Travers,  
Mr. Button,  
Mr. Fitzroy,  
Mr. Stafford,  
Mr. Harper,  
Mr. Cox.

The amendment was consequently negatived.

Question put, "That the Bill be now read a second time;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	41
Noes	...	...	...	...	13
Majority for	...	...	...	...	28

## AYES.

Major Atkinson,  
Mr. Baigent,  
Mr. Ballance,  
Mr. Barff,  
Mr. Bryce,  
Mr. Curtis,  
Mr. Dignan,  
Mr. Fisher,  
Mr. Gibbe,  
Mr. Gisborne,  
Sir G. Grey,  
Mr. Hamlin,

Mr. Nahe,  
Mr. Rees,  
Mr. Rowe,  
Captain Russell,  
Mr. Seymour,  
Mr. Sharp,  
Mr. Sheehan,  
Mr. Stout,  
Mr. Sutton,  
Mr. Swanson,  
Mr. Taiaroa,  
Mr. Takamoana,



Dr. Henry,  
Mr. Hislop,  
Mr. Hursthouse,  
Mr. Johnston,  
Mr. Kelly,  
Mr. Kennedy,  
Mr. Macandrew,  
Mr. Manders,  
Captain Morris,

Mr. Tawiti,  
Mr. Thomson,  
Mr. Tole,  
Mr. Williams,  
Mr. W. Wood,  
Mr. Woolcock.  
*Tellers.*  
Mr. Beetham,  
Mr. De Lautour.

#### NOES.

Mr. Bowen,  
Mr. Hunter,  
Mr. Lumsden,  
Mr. McLean,  
Mr. Montgomery,  
Mr. Reid,  
Mr. Richardson,

Mr. Shrimski,  
Mr. Stevens,  
Mr. Teschemaker,  
Mr. Wason.  
*Tellers.*  
Mr. Murray,  
Mr. Rolleston.

#### PAIRS.

*For.*  
Mr. Bastings,  
Mr. Bunuy,  
Sir R. Douglas,  
Mr. Hodgkinson,  
Mr. Iarnach,  
Mr. Lusk,  
Mr. Pyke,  
Mr. Seaton,  
Dr. Wallis,  
Mr. R. G. Wood.

*Against.*  
Captain Keuny,  
Mr. Moorhouse,  
Mr. Burns,  
Mr. Murray-Aynsley,  
Mr. Travers,  
Mr. Button,  
Mr. Fitzroy,  
Mr. Stafford,  
Mr. Harper,  
Mr. Cox.

The motion was consequently agreed to, and the Bill read a second time.

The House adjourned at twenty-five minutes o two o'clock a.m.

### LEGISLATIVE COUNCIL.

*Tuesday, 4th December, 1877.*

Third Reading—Defences of the Colony—Maori Real Estate Bill—Government Native Land Purchases Bill—Land Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

#### PRAYERS.

#### THIRD READING.

Native Land Bill No. 2.

#### DEFENCES OF THE COLONY.

A message was received from His Excellency the Governor. [See proceedings in House of Representatives, 3rd December.]

#### MAORI REAL ESTATE BILL.

The Hon. Colonel WHITMORE, in moving the second reading of this Bill, said it was brought in for the purpose of rendering it possible to close some of the Crown purchases from the Maoris. Some of these purchases had been hanging over for a considerable time, and, in consequence of the death of some Maoris, minors had inherited claims, and until the Native Land Court could appoint a trustee, which process required the intervention of the Court and a very great deal of circumlocution, it was impossible to deal with their shares; and as under the Act of 1873 every

*Mr. Reid*

individual member of a tribe, however trifling his share or interest in the joint property, was bound to be consulted, and as it was almost certain that, if any length of time elapsed between getting the first signature and the last, some Maori would die before all the signatures were obtained, a new set of Courts must be held in order to appoint a new set of trustees for the inheriting minors. It was desirable that purchasing by Government should be brought to a close. Honorable members were quite aware that vast sums of money must be wasted under any circumstances and however this matter was settled, but it was not necessary to keep up an expensive and not very satisfactory department merely to wait until the Land Court sat to appoint trustees. It was thought that the Government on its own responsibility would be the fairest authority to act in these cases. The Act of 1867 allowed another mode of appointment of trustees which was more practicable, and the Government felt sure it was all that was now required to enable them to wind up such of the Crown purchases as it would not be necessary to abandon. A very considerable number of them must be abandoned.

The Hon. Mr. HOLMES considered that a great injustice was about to be perpetrated under this Bill. It would enable designing men, no matter what their position might be, to disinherit the Maoris of their property and to part with it to individuals, who might do what they pleased with it. It was the duty of the Council in such a case as this to step in and see that such acts should not be perpetrated. The 2nd clause enacted that the trustees of infant Maoris should have power to sell real estate, or, in other words, to part with the fee-simple; and a further provision provided that they might divide the real estate and sell it in parcels; and it was also enacted that the proceeds of the sale might be laid out in the purchase of other lands. What possible object could there be in selling land in the possession of Maoris and investing the proceeds in other lands? Was it to be supposed that a trustee could make a good transaction for the Maoris by selling and re-purchasing? No doubt the land, in the first place, would be sold at the minimum rate, and the probability was that land of inferior quality would be obtained with the proceeds, and at a higher price. The saving clauses of the Bill were, that this could not be done without the consent of a Judge of the Native Land Court. He had not had time to study the Bill, but on the first blush it appeared that under it a great injustice was about to be perpetrated on the Maori race, and he hoped the Council would step in and say that it would not be a party to it. He could understand cases in which large land transactions were now in abeyance in consequence of a number of infants being interested—he believed that in one case there were one hundred minors interested. Would it be right that these should be disinherited, their property sold, and the money perhaps squandered, and all through the Legislature giving effect to such a Bill as this? He hoped that those honorable gentlemen who were more conversant with Maori matters than

he was would come forward and discuss this Bill. He moved, That the Bill be read a second time that day three months.

The Hon. Sir F. DILLON BELL would have risen to propose the same motion as the Hon. Mr. Holmes had now made, had it not been for the very great discouragement he had received during the last few days from the Hon. the Colonial Secretary, in the endeavours he had made to induce the Council to allow fair time for the consideration of measures of this kind, even at this late period of the session. He regretted to say that there seemed to be a great disinclination on the part of honorable gentlemen to do more than press the Land Bill through and get away home. In the last days of the session a measure was brought in reversing the whole policy of a most carefully-considered law, and placing Maori infants who held real estate in a condition very different from that in which they were placed by the Act of 1867. He would not take up the time of the Council by entering into the reasons which induced the Legislature, under the guidance of Mr. James Richmond, than whom no better man ever was connected with Native affairs, to pass the Act of 1867. But any one who took the trouble to read that Act, and to study the careful manner in which provision was then made for the guardianship of estates belonging to Maori infants, would know that a Bill like this would sweep away the safeguards which pervaded the Act of 1867. For his part he contented himself with entering his protest against it. He could not assent to any Act giving to trustees the power to sell the estate.

The Hon. Dr. GRACE shared largely in the appreciation expressed by the Hon. Sir F. Dillon Bell of the Act of 1867, but it was impossible for him to forget the history of the legislation which characterized their efforts since that time. The only Act of real value was the Act of 1867; but they had not to deal with abstract or hypothetical positions—they had to deal with actual present difficulties; and for his part he would agree altogether with the remarks that had fallen from the Hon. Mr. Holmes and the Hon. Sir F. Dillon Bell were it not that it appeared to him clear that operations under this Bill were to be restricted to transactions with Her Majesty or Her Majesty's representatives. That was the first point. The second was, that he understood it was a distinct portion of the policy of the colony at present to cease all further transactions in the direction of the purchase of Native lands: that was to say, they were not about to proceed any further in the direction of purchasing Native lands on behalf of the colony. Therefore he looked upon this measure as merely a measure to enable the State to complete inchoate transactions, and in that light he would not oppose the measure at the present time. If it possessed any greater application to the business of the country, or relevancy to transactions that had not been commenced, then the measure was not what he took it to be; but he proceeded on the hypothesis that this was merely a measure to enable the State to complete its title to certain lands upon which the price had already been paid. It

was an unfortunate thing that the purchases which had been made or which were said to have been made from the Natives on the part of the colony had been largely unsatisfactory, probably to both races. But this had really been owing in many instances to the nature of the agents whom the Crown had been obliged to employ for the purpose of those negotiations. The position was this: In many cases the Crown would have absolutely to give up its claims to uncompleted purchases, and sacrifice the money advanced. In other cases the Crown's interest so decidedly predominated that it became a question of policy, in the interests of all, to enable the Crown to complete its title. He understood this Act merely purported to give power to trustees to complete titles to property—as, for example, in those instances in which a certain interest in the property had been parted with by the very heirs concerned. That was to say, a deed of conveyance was in process of completion, to a certain extent the parties who were concerned in that deed had committed themselves to it, but before the completion of that deed death had intervened, and it had been impossible for the adults to perfect the act. Now, in many of these cases it was merely sought that the trustees for the heirs should be in a position to complete the deed and receive an equivalent. Supposing no such power were given to the Crown, it would be impossible for the Crown to perfect the title in the ordinary way; and then the Native heirs came to have an indefinite claim to a very indefinite estate, the market value of which became very small indeed, because the absolute fact of the Crown having dealt in the land precluded other purchasers from intervening. If that were so, he thought they were justified in viewing the measure in a new light, because it appeared to him that it was to a certain extent an advantage to both parties to have such legislation—the Crown perfected the title, and the heir received at any rate an equivalent of some kind; because it was clear to him that, if the interest of the Crown absolutely did predominate in those estates, the interest of the heir, being very indefinite, was bound to give way. He looked upon the measure simply as one of those perhaps undesirable, but nevertheless judicious, compromises. He did not see what other machinery they could introduce for checking the supposed prejudicial operation of this Bill other than that afforded by the Native Land Court, because the Judges were much more cognizant than anybody else of the proportionate interest of the Crown in the estate. He regretted that he had not seen the measure until that moment, but nevertheless it appeared to him proper that he should explain to the Council the view he had formed of the measure, and of its importance to the State.

The Hon. Captain FRASER understood the Natives would not be opposed to this Bill if they knew the trustee was a rich man. They had no faith in a poor man, as they thought he would sell the property of an infant not for the benefit of the infant, but for his own benefit. It was a great pity that the Public Trustee was not made

the general trustee for all such Native properties. In that case there would be no objection to such a Bill on the part of the Maori people. He did not know whether that would be practicable, but it would be very desirable. He thought it was a great pity that all these Native trusts were not in charge of the Public Trustee.

The Hon. Mr. WILSON thought the honorable gentleman who moved the rejection of the Bill misapprehended its intention, which was by no means to promote such spoliation as the honorable gentleman thought. In reality, trustees who would be appointed under this Bill and trustees appointed under the Act of 1867 were pretty much in the position of trustees appointed under any English deed. The English Act gave trustees power to sell, and that was all that was proposed by this Bill. If a safeguard was wanted, though he did not think it much of a safeguard himself, a safeguard was provided in the consent of the Judge of the Native Land Court. Trustees would do this on their own responsibility. The honorable gentleman seemed to think that the very moment this power was obtained the whole of the interests of the Natives would be confiscated. That was not so at all. The trustees were not bound to sell. They were appointed by the Government, and it was presumed that they did their duty. If they did their duty they would take care to get a sufficient price for the land. He thought the honorable gentleman was quite mistaken in thinking that there was any undisclosed intention in this Bill on the part of the Government. The Act was merely for the purpose of giving trustees the power that English trustees would have, but there was the safeguard in this case that the consent of the Native Land Court would have to be obtained.

The Hon. Sir F. DILLON BELL had not the slightest objection to the partition clause.

The Hon. Mr. WILSON.—Why object to the power to sell?

The Hon. Sir F. DILLON BELL.—We ought to stick to the intention of the Act of 1867.

The Hon. Mr. WILSON.—We must amend as we get on. We cannot stand still.

The Hon. Mr. HALL did not think much danger was likely to arise from the sale of land in these cases. He did not agree with those honorable gentlemen who were so fond of locking up trust land; but there might be a danger that the money received for the land would not be properly taken care of. He should be glad to learn from the Hon. the Colonial Secretary whether he would in Committee introduce a clause into the Bill providing that the purchase-money should not be handed over to the Native trustee. It had better be paid into the Native Land Court, to be held in trust for the minors, or paid into the Treasury, as in England the trustees of estates sometimes had to pay trust moneys into the Court of Chancery. He could hardly agree that the Public Trustee was the proper person to have the management of property belonging to Maoris under age. It would be difficult to get the Maoris to agree to that, and, in addition, it would entail a vast amount of labour upon the Public Trustee. While voting

*Hon. Captain Fraser*

for the second reading, he should like to know whether there was any prospect of his suggestion being agreed to.

The Hon. Mr. MANTELL was not prepared to deny that some legislation was necessary, but he thought it was a great pity that they should be driven to adopt a measure such as this, in the last stage of the session, with only such hurried consideration as they could give to it now. For his part, he had been informed of cases in which really in honesty it would be an advantage to both parties that the Crown should be in a position to deal with the estates of minors; but he was not prepared to go to the extent to which the Bill went, and say that in all cases it would be honest and fair to give the Crown power to deal with the estates of minors, nor was he prepared to give retrospective action to it. He would not go so far as to say that the Bill was distasteful to him, but he felt it incumbent upon him as a member of the Council not to give his individual assent to any measure dealing with the rights of those who had really no one to protect them. He must vote against the second reading of the Bill, because it was impossible at that time to give it a proper amount of consideration. It was one of those Bills which ought to be referred to a Select Committee, and before that Select Committee it would be in the power of officers of the Government to adduce instances which would satisfy the Committee either that it was necessary to pass a general measure, or that a clause should be introduced limiting the scope of the present measure so that it should solely apply to instances adduced by them. There was a vagueness about the statement of the Colonial Secretary as to the necessity for the Bill. Not one single case had been adduced to prove its necessity, and yet it must be within his knowledge and that of the Hon. Mr. Wilson that certain cases must exist, which might have been mentioned to the Council, and which would have given to the Council a fair idea of what was the motive of the Government in introducing the Bill, and of what was the object the Government aimed at in seeking to get it passed at once. If the Bill, at that late period, was unfortunately read a second time, he trusted the Council would not allow the 8th clause to pass.

The Hon. Colonel WHITMORE said that the Bill was absolutely necessary in the interest of the country. The honorable gentleman asked for instances, but had he known that they would be necessary there would have been no possible difficulty in adducing plenty. He did not suppose that out of the many transactions in the North Island there were any in which there were not ten or twelve minors among the one or two hundred owners, and in such cases it would be impossible to proceed at all except in the tedious way prescribed in the Native Lands Act. As to referring the Bill to a Select Committee, the Council was really a Select Committee in this case, because the Bill and the petition were so intimately connected that it was impossible that the Committee in considering the petition could avoid reporting upon the Bill. The petition prayed that the Bill should not be pro-

ceeded with, for certain reasons, and he would promise that if the Petitions Committee reported in favour of the petition the Government would adopt that report and withdraw the Bill. He hoped the honorable gentleman would not vote against the second reading of the Bill, but would be content to accept the assurance that the Government would act upon the report of the Committee. When the Bill was in Committee he would endeavour to give effect to the suggestion of the Hon. Mr. Hall.

Question put, "That the word 'now' stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	17
Noes	...	...	...	...	9
Majority for	...	...	...	...	8

#### AYES.

Mr. Acland,	Mr. Lahmann,
Captain Baillie,	Mr. Peacock,
Colonel Brett,	Mr. Peter,
Captain Fraser,	Mr. Pharazyn,
Dr. Grace,	Major Richmond, C.B.,
Mr. Hall,	Mr. Russell,
Mr. Hart,	Mr. Wilson,
Mr. J. Johnston,	Colonel Whitmore.
Lieut.-Colonel Kenny,	

#### NOES.

Sir F. Dillon Bell,	Mr. Mantell,
Mr. Buckley,	Mr. Ngataa,
Mr. Chamberlin,	Mr. Wigley,
Mr. Edwards,	Mr. Williamson.
Mr. Holmes,	

The amendment was consequently negatived, and the Bill read a second time.

### GOVERNMENT NATIVE LAND PURCHASES BILL.

The Hon. Colonel WHITMORE, in moving the second reading of this Bill, said it was introduced to carry out the policy of the Government with reference to Native land purchases. The provision contained in the 2nd section extended to the whole North Island the protection now existing in the Thames District under section 18 of the Waste Lands Act of last year. That provision prohibited private persons from dealing with lands belonging to the Natives for the purchase of which the Government had already entered into negotiations. As there were to be no fresh negotiations, this would not be an interference in any way with private land purchases, nor prejudice what was called free trade in land. The interests of the public, moreover, required that, if these transactions were to be brought to an end within a limited time, there should not be that intriguing going on which there was now in several instances with the Natives who had engagements with the Government. He did not wish to say that these people were doing so now, but a number of private speculators had been known to interfere with the Government purchases in several parts of the country. The Hon. Sir F. Dillon Bell would know that a statement to this effect had been made before a Commit-

tee this session, and there were many cases in which it was known to have been done to a large extent. The result of that was that land fell into the hands of all sorts of persons—persons who had no intention of settling on it or improving it. Clauses 3 and 4 provided that notifications in the *New Zealand Gazette* were to be accepted as sufficient notice to all persons of the prior rights of the Crown in respect of the land mentioned in the notice, and in the same way notifications regarding the abandonment of the claims of the Crown to any lands were to be accepted. Those clauses made it incumbent on the Land Registrar to accept those notifications, and after receiving a copy of the *Gazette* he had to cause a caveat to be lodged showing the right of the Crown to the lands, and he might refuse to register any deed under that Act dealing with any lands referred to in the notices. The Act would not alter or repeal any other enactment restraining the purchase or acquisition of Native lands. The 5th clause provided that the Native Minister might arrange for discontinuing the purchase of Native lands on commission. The only way of bringing some of those purchases on commission to an end was to estimate the value of the work done and to discharge the commission agent. In a good many instances that could be done on favourable terms. He thought he had now explained the leading features of the Bill, and he hoped honorable members would see their way to pass it.

The Hon. Sir F. DILLON BELL would be very glad to support the Government in this proposal. The principle of it was really contained in the provisions restricting private persons from competing with the Crown in the purchase of land. With all due deference, however, to the honorable gentleman in charge of the Bill, he would ask whether an Act of Parliament was necessary to enable the Native Minister to discontinue the purchase of Native lands on commission. He was not aware of any Act which made it necessary for the Native Minister to purchase land on commission: in fact, the purchasing of land on commission was simply an experiment very unwisely entered into, and the Government could, by its own executive authority, cease that mode of acquiring Native land. There was no necessity for passing an Act of Parliament to deal with the matter.

The Hon. Mr. WILSON believed that the contracts with the commission agents were continuous, and therefore he thought some provision was required to put an end to them. There should be some authority from the Legislature to put an end to the system of buying land on commission.

Bill read a second time.

### LAND BILL.

This Bill was further considered in Committee.

Clause 78.—Power to set aside pastoral lands.

The Hon. Mr. HALL moved the omission of the words "and not open for sale" from the following part of the clause: "Such lands, if held under pastoral license or lease, and not open for sale, may be sold not more than twelve months

before the expiry of the then existing licenses or leases."

Question put, "That the words proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	8
Noes	...	...	...	...	19

Majority against ... 11

#### AYES.

Mr. Chamberlin,  
Captain Fraser,  
Lieut.-Colonel Kenny,  
Mr. Pharazyn,  
Sir J. L. C. Richardson,  
Mr. Wilson,  
Colonel Whitmore,  
Mr. Williamson.

#### NOES.

Mr. Acland,  
Captain Baillie,  
Sir F. Dillon Bell,  
Colonel Brett,  
Mr. Buckley,  
Mr. Edwards,  
Dr. Grace,  
Mr. Hall,  
Mr. Hart,  
Mr. Holmes,  
Mr. J. Johnson,  
Mr. Lahmann,  
Mr. Mantell,  
Mr. Miller,  
Mr. Peacock,  
Mr. Peter,  
Mr. Robinson,  
Mr. Russell,  
Mr. Wigley.

The amendment was consequently agreed to.

Clause 87.—Subsection 4: Personal residence imperative, except for a term of eighteen months.

The Hon. Mr. HOLMES moved, That the following words be omitted—"eighteen months from the date of the license"—with the view to insert "six months in any one year."

Question put, "That the words proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	14

Majority against... 3

#### AYES.

Mr. Acland,  
Sir F. Dillon Bell,  
Colonel Brett,  
Mr. Edwards,  
Captain Fraser,  
Mr. Hall,  
Mr. G. R. Johnson,  
Mr. Miller,  
Mr. Peacock,  
Mr. Peter,  
Mr. Pharazyn.

#### NOES.

Captain Baillie,  
Mr. Buckley,  
Mr. Chamberlin,  
Mr. Hart,  
Mr. Holmes,  
Mr. J. Johnston,  
Lieut.-Colonel Kenny,  
Mr. Lahmann,  
Major Richmond, C.B.,  
Mr. Robinson,  
Mr. Wilson,  
Colonel Whitmore,  
Mr. Wigley,  
Mr. Williamson.

The amendment was consequently agreed to.

Clause 112.—Present runholders may elect to hold under assessment.

The Hon. Colonel WHITMORE moved, as an amendment, That "one thousand eight hundred and ninety" be omitted, for the purpose of substituting "one thousand eight hundred and eighty-five."

Hon. Mr. Hall

Question put, "That the words proposed to be left out stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	15
Noes	...	...	...	...	10

Majority for ... 5

#### AYES.

Mr. Acland,  
Sir F. Dillon Bell,  
Colonel Brett,  
Mr. Buckley,  
Mr. Edwards,  
Captain Fraser,  
Dr. Grace,  
Mr. Hall,  
Mr. Hart,  
Mr. G. R. Johnson,  
Mr. Miller,  
Mr. Peacock,  
Mr. Peter,  
Mr. Pharazyn,  
Mr. Wigley.

#### NOES.

Captain Baillie,  
Mr. Chamberlin,  
Lieut.-Colonel Kenny,  
Mr. Lahmann,  
Sir J. L. C. Richardson,  
Mr. Robinson,  
Mr. Russell,  
Colonel Whitmore,  
Mr. Williamson,  
Mr. Wilson.

The amendment was consequently negatived.  
Progress was reported, and leave given to sit again.

The Council adjourned at a quarter-past twelve o'clock a.m.

## HOUSE OF REPRESENTATIVES.

Tuesday, 4th December, 1877.

First Readings—Second Readings—Third Readings—Waikato Port—Mrs. Meurant—Auckland Grammar School—Waste Lands Sale Bill—Financial Arrangements Bill—Rating Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

#### PRAYERS.

#### FIRST READINGS.

Hutt County Offices Bill, Middle Island Half-caste Crown Grants Bill, Rating Bill, Counties Bill.

#### SECOND READINGS.

Timaru and Gladstone Board of Works Property Vesting Bill, Nelson Gasworks and Waterworks Bill, Hutt County Offices Bill, Middle Island Half-caste Crown Grants Bill, Counties Bill.

#### THIRD READINGS.

Destitute Persons Bill, Timaru and Gladstone Board of Works Property Vesting Bill, Nelson Gasworks and Waterworks Bill, Hutt County Offices Bill.

#### WAIKATO PORT.

Mr. HAMLIN asked the Commissioner of Customs, If he will send Captain Fairchild to Port Waikato to make a survey of the entrance, with the view of placing the beacons in such a position as to insure the safety of vessels entering the port? He might state that he had been in-

formed by two or three masters of vessels who were in the habit of trading to this port, that the beacons as now placed were of no service to them. Strangers to the port sometimes came to grief, and on one occasion a large schooner was stranded for ten days: fortunately the sea was calm, and the vessel was got off. He trusted the Government would instruct Captain Fairchild to make a survey of the entrance to the port, and to place the beacons in a position in which they would be of service to the vessels trading to that port. He felt sure that the Government would regret to hear of the loss of life or property, and would therefore urge them to have the survey made as soon as possible.

Sir G. GREY said the "Stella" would shortly visit Auckland, and her services would be availed of for the purpose stated in the honorable gentleman's question.

#### MRS. MEURANT.

Mr. SWANSON asked the Native Minister, What steps the Government intend to take for the purpose of settling the claim of Mrs. Meurant?

Mr. SHEEHAN replied that when this matter was before the House last session the Attorney-General was instructed to deal with the whole case. That had not been done, and he proposed to refer the papers and the case to the Solicitor-General, in order that he might report upon the subject.

#### AUCKLAND GRAMMAR SCHOOL.

Mr. O'RORKE asked the Premier, Whether he will endeavour to secure a suitable site and playground for the proposed Auckland Grammar School, either in the Domain or on other Crown land in Auckland or the neighbourhood? There was involved in this question a matter which came home to every one who took an interest in the education of the youth of the City of Auckland, and not merely the City of Auckland, but, he might say, the whole province, because, if there was a suitable building for the Grammar School, with proper accommodation for the pupils in that establishment, the benefits of the school would, by means of scholarships, be, in some measure, extended to the remotest bounds of the province. What was the position of that institution now? There were gathered together in a barn-like building, an antiquated barrack with rooms of low ceiling—a building more like a dungeon than a school, with not half the architectural beauty of an ordinary poorhouse at Home—some two hundred children, the flower of the City of Auckland. They were assembled in a house ill-ventilated, and without anything in its appearance to impress or elevate the youthful mind. No person in this House was more familiar with the wants of the citizens of Auckland in this respect than the honorable gentleman at the head of the Government. Although he (Mr. O'Rorke) had on a recent occasion brought this matter under the consideration of the House, he then received but scanty encouragement to take any further steps in the matter; yet, on reflection, he felt so deeply on the subject that he determined not to be thereby deterred from ap-

pealing to the Government to endeavour to procure a suitable site—a site which would meet the necessity of the case, and which would be creditable to the city, and be its possession for all time. He knew that there was considerable difficulty in obtaining a suitable site, including that grand desideratum for boys, a good playground. Difficulty would only increase by delay, but he thought that something could be done by an earnest effort being made to procure a site for the proposed Auckland Grammar School that would have about it something elevating, something ennobling, for childhood's school-days. His desire was to see the best site available bestowed on this institution, and the best site would not be too good.

Sir G. GREY replied that efforts would be made to procure a suitable site for the Auckland Grammar School, and that without delay.

#### WASTE LANDS SALE BILL.

The House went into Committee on this Bill.

Clause 4.—Price of waste lands fixed.

Mr. LUMSDEN moved the omission of the following words: "but not in any case at a less price than two pounds per acre, if by free selection."

Question put, "That the words proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	34
Noes	...	...	...	...	26
Majority for	...	...	...	...	8

#### AYES.

Mr. Baigent,  
Mr. Ballance,  
Mr. Barff,  
Mr. J. C. Brown,  
Mr. Bryce,  
Mr. Bunny,  
Mr. Carrington,  
Mr. De Lautour,  
Mr. Dignan,  
Mr. Fisher,  
Mr. Gisborne,  
Sir G. Grey,  
Mr. Hamlin,  
Mr. Hislop,  
Mr. Johnston,  
Mr. Joyce,  
Mr. Kelly,  
Mr. Macandrew,

Mr. Macfarlane,  
Mr. Montgomery,  
Mr. Murray,  
Mr. Nahe,  
Mr. Rowe,  
Mr. Sharp,  
Mr. Sheehan,  
Mr. Shrimski,  
Mr. Swanson,  
Mr. Taiuroa,  
Mr. Takamoa,  
Mr. Thomson,  
Mr. Tole,  
Mr. W. Wood.

#### Tellers.

Mr. Rees,  
Mr. Stout.

#### NOES.

Major Atkinson,  
Mr. Beetham,  
Mr. Burns,  
Mr. Fitzroy,  
Mr. Fox,  
Mr. Gibbs,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Kennedy,  
Mr. Manders,  
Mr. McLean,

Mr. Richardson,  
Mr. Rolleston,  
Captain Russell,  
Mr. Seymour,  
Mr. Stevens,  
Mr. Sutton,  
Mr. Tawiti,  
Mr. Teschemaker,  
Mr. Wason,  
Mr. Woolcock.

Mr. Moorhouse,  
Mr. Ormond,  
Mr. Reid,

## Tellers.

Mr. Bowen,  
Mr. Lumsden.

## PAIRS.

## For.

Mr. Hastings,  
Mr. Hodgkinson,  
Mr. Larnach,  
Mr. Lusk,  
Mr. Reynolds,  
Mr. Seaton,  
Mr. Wakefield,  
Dr. Wallis,  
Mr. R. G. Wood.

## Against.

Captain Kenny,  
Mr. Murray-Aynsley,  
Mr. Williams,  
Mr. Button,  
Dr. Henry,  
Mr. Stafford,  
Captain Morris,  
Mr. Harper,  
Mr. Cox.

The amendment was consequently negatived, and the clause as subsequently amended agreed to.

Mr. MONTGOMERY proposed the addition of a new clause to the effect that no land shall hereafter be disposed of on the "homestead" system.

Question put, "That the new clause be read a second time;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	6
Noes	...	...	...	...	33

Majority against	...	...	...	27
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## AYES.

Mr. Ballance,  
Mr. McLean,  
Mr. Thomson,  
Mr. W. Wood.

## Tellers.

Mr. Montgomery,  
Mr. Reid.

## NOES.

Major Atkinson,  
Mr. Baigent,  
Mr. Barff,  
Mr. Bowen,  
Mr. J. C. Brown,  
Mr. Carrington,  
Mr. De Lantour,  
Mr. Dignan,  
Mr. Fisher,  
Mr. Gibbs,  
Sir G. Grey,  
Mr. Hunter,  
Mr. Johnston,  
Mr. Joyce,  
Mr. Kelly,  
Mr. Kennedy,  
Mr. Macandrew,

Mr. Manders,  
Captain Morris,  
Mr. Nahe,  
Mr. Ormond,  
Mr. Rees,  
Mr. Richardson,  
Mr. Rolleston,  
Mr. Seymour,  
Mr. Sheehan,  
Mr. Swanson,  
Mr. Tole,  
Mr. Travers,  
Mr. Wason,  
Mr. Woolcock.

## Tellers.

Mr. Hamlin,  
Mr. Rowe.

The motion was consequently negatived.

Mr. REID moved the insertion of the following new clause: "Sections one to three, inclusive, of Appendix A of 'The Land Act, 1877,' relating to the occupation of land under the homestead system, are hereby extended and made applicable to every land district in the colony."

Question put, "That the clause be read a second time;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	25
Noes	...	...	...	...	24

Majority for	...	...	...	1
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Mr. Lumsden

## AYES.

Mr. Baigent,  
Mr. Barff,  
Mr. J. C. Brown,  
Mr. Burns,  
Mr. De Lantour,  
Sir R. Douglas,  
Mr. Fisher,  
Mr. Gibbs,  
Mr. Gisborne,  
Mr. Hamlin,  
Mr. Hislop,  
Mr. Hursthouse,  
Mr. Lumsden,

Mr. Macandrew,  
Mr. Montgomery,  
Mr. Murray,  
Mr. Nahe,  
Mr. Sheehan,  
Mr. Swanson,  
Mr. Thomson,  
Mr. Tole,  
Mr. W. Wood,  
Mr. Woolcock.

## Tellers.

Dr. Henry,  
Mr. Reid.

## • NOES.

Major Atkinson,  
Mr. Ballance,  
Mr. Beetham,  
Mr. Bryce,  
Mr. Carrington,  
Mr. Dignan,  
Mr. Fitzroy,  
Mr. Hunter,  
Mr. Johnston,  
Mr. Joyce,  
Mr. Kelly,  
Mr. Kennedy,  
Mr. Macfarlane,

Mr. Manders,  
Mr. McLean,  
Mr. Richardson,  
Mr. Rolleston,  
Mr. Rowe,  
Mr. Seymour,  
Mr. Sharp,  
Mr. Sutton,  
Mr. Wason.

## Tellers.

Mr. Bowen,  
Mr. Stevens.

The motion was consequently agreed to.

Question put, "That the clause be added to the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	30
Noes	...	...	...	...	27

Majority for	...	...	...	3
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## AYES.

Mr. Baigent,  
Mr. Barff,  
Mr. J. C. Brown,  
Mr. Burns,  
Mr. De Lantour,  
Mr. Fisher,  
Mr. Gibbs,  
Mr. Gisborne,  
Mr. Hamlin,  
Mr. Hislop,  
Mr. Joyce,  
Mr. Lumsden,  
Mr. Macandrew,  
Mr. Manders,  
Mr. Montgomery,  
Mr. Murray,

Mr. Nahe,  
Mr. Ormond,  
Mr. Rees,  
Mr. Reid,  
Mr. Sheehan,  
Mr. Stout,  
Mr. Swanson,  
Mr. Takamoana,  
Mr. Thomson,  
Mr. Tole,  
Mr. W. Wood,  
Mr. Woolcock.

## Tellers.

Sir R. Douglas,  
Mr. Hursthouse.

## NOES.

Major Atkinson,  
Mr. Ballance,  
Mr. Beetham,  
Mr. Brandon,  
Mr. Carrington,  
Mr. Curtis,  
Mr. Dignan,  
Mr. Fitzroy,  
Mr. Hunter,

Mr. Richardson,  
Mr. Rolleston,  
Mr. Rowe,  
Captain Russell,  
Mr. Seymour,  
Mr. Sharp,  
Mr. Shrimski,  
Mr. Stevens,  
Mr. Sutton,

Mr. Johnston,  
Mr. Kelly,  
Mr. Kennedy,  
Mr. McLean,  
Mr. Moorhouse,

Mr. Taiaroa,  
Mr. Tawiti.  
*Tellers.*  
Mr. Bowen,  
Mr. Wason.

The clause was consequently agreed to.

Captain MORRIS moved the following new clause: "That the period during which Volunteer scrip may be exercised under 'The Volunteers and Others Land Act, 1877,' is hereby extended for one year."

Question put, "That the clause be read a second time;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	34
Noes	...	...	...	...	22
					—
Majority for	...	...	...	...	12

#### AYES.

Major Atkinson,  
Mr. Ballance,  
Mr. Beetham,  
Mr. Brandon,  
Mr. Carrington,  
Mr. Curtis,  
Mr. Dignan,  
Sir R. Douglas,  
Mr. Fitzroy,  
Mr. Fox,  
Mr. Gibbs,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Johnston,  
Mr. Joyce,  
Mr. Kennedy,  
Mr. Macfarlane,  
Mr. Manders,

Mr. Moorhouse,  
Mr. Nahe,  
Mr. Ormond,  
Mr. Richardson,  
Mr. Rolleston,  
Mr. Rowe,  
Captain Russell,  
Mr. Seymour,  
Mr. Stevens,  
Mr. Sutton,  
Mr. Taiaroa,  
Mr. Techemaker,  
Mr. Wason,  
Mr. Woolcock.

#### *Tellers.*

Mr. Hamlin,  
Captain Morris.

#### NOES.

Mr. Baigent,  
Mr. Barff,  
Mr. Bowen,  
Mr. J. C. Brown,  
Mr. De Lantour,  
Mr. Fisher,  
Mr. Gisborne,  
Sir G. Grey,  
Mr. Lumsden,  
Mr. Macandrew,  
Mr. McLean,  
Mr. Montgomery,

Mr. Murray,  
Mr. Reece,  
Mr. Sheehan,  
Mr. Swanson,  
Mr. Takamoana,  
Mr. Thomson,  
Mr. Tole,  
Mr. W. Wood.

#### *Tellers.*

Mr. Kelly,  
Mr. Stout.

The clause was consequently read a second time.

Mr. STOUT moved the addition of the following proviso: "Provided that such scrip is actually held by the Volunteer to whom the said scrip was issued."

Question put, "That the proviso be added to the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	28
Noes	...	...	...	...	26
					—
Majority for	...	...	...	...	2

#### AYES.

Mr. Baigent,  
Mr. Barff,  
Mr. Brandon,  
Mr. J. C. Brown,  
Mr. De Lantour,  
Mr. Dignan,  
Mr. Fisher,  
Mr. Gisborne,  
Sir G. Grey,  
Mr. Hamlin,  
Mr. Hislop,  
Mr. Joyce,  
Mr. Kelly,  
Mr. Lumsden,  
Mr. Macandrew,

Mr. Montgomery,  
Mr. Murray,  
Mr. Reid,  
Mr. Sheehan,  
Mr. Shrimski,  
Mr. Swanson,  
Mr. Taiaroa,  
Mr. Takamoana,  
Mr. Thomson,  
Mr. Tole,  
Mr. W. Wood.

#### *Tellers.*

Mr. Reece,  
Mr. Stout.

#### NOES.

Major Atkinson,  
Mr. Ballance,  
Mr. Beetham,  
Mr. Bryce,  
Mr. Burns,  
Mr. Carrington,  
Sir R. Douglas,  
Mr. Fitzroy,  
Mr. Fox,  
Mr. Gibbs,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Kennedy,  
Mr. Macfarlane,

Mr. Manders,  
Mr. McLean,  
Mr. Nahe,  
Mr. Richardson,  
Mr. Rowe,  
Captain Russell,  
Mr. Seymour,  
Mr. Sharp,  
Mr. Sutton,  
Mr. Woolcock.

#### *Tellers.*

Mr. Moorhouse,  
Captain Morris.

The proviso was consequently agreed to, and the clause as amended added to the Bill.

Bill reported with amendments.

On the question, That the Bill be read a third time,

Mr. ROLLESTON said,—I wish, as far as I can, to enter my protest against this Bill. It seems to me to have been forced on the Government in support of their policy, and there appears to me also to have been a very considerable injustice forced upon the country by the Bill. It deals with the question of what has been called the necessity for uniformity in the land regulations throughout the colony, and it has been insisted upon that, inasmuch as in the Provincial District of Canterbury £2 per acre has been the price of the land, an attempt should be made to force that price upon the whole of the colony. I believe myself that will be most prejudicial to the colony generally. There is really no propriety whatever in insisting upon uniformity of price, and I look upon it as most impolitic and unwise, and it is a very selfish proceeding on the part of those members who attempt to force their own regulations on the rest of the colony. To my mind the real plan, if we are to make an attempt at uniformity, would be to insist upon one price which should belong to all land throughout the colony, whatever that land might be, and that in the several districts any sum obtained in excess of that price should belong to the district where-in it was paid. That would be a fairer way to attempt to establish uniformity than the way which is proposed here. I think the whole of this Bill, in the form in which it has come out of



Committee, is most unsatisfactory. We have actually, at the end of the Bill, put in a clause which provides that the homestead clauses of Auckland shall be in force throughout the colony, and this was done because there was, as I think justly, a desire on the part of the people of that part of the colony to retain, to some measure at least, the system to which they had been accustomed from the earliest times.

Mr. MONTGOMERY.—A year and a half.

Mr. ROLLESTON.—I did not catch the honorable gentleman's remark exactly, but, if he means that this Bill is only to be in operation for a year and a half, I say that is another argument against it of the strongest character. We are taking a step in regard to our lands of as great importance as if we were changing the nature of our currency, and we are actually sending Home to the public creditor, as a temporary measure, a Bill dealing with one of the greatest questions that can possibly arise in the history of the colony. Coming as I do from the Province of Canterbury, it is natural that I should entertain a very strong feeling when I find the land system of that province suddenly destroyed. The feelings and instincts which have grown up round the people in connection with their land system are suddenly invaded and destroyed, and it would be a comfort if one was able to think that some good could come out of the proposal; but I believe we shall hear more about it throughout the country. I believe there will be a general feeling of dissatisfaction with regard to it, and I am convinced that the general verdict will be that the action of the House has been hasty, ill-considered, selfish, and unproductive of any real colonial good. The honorable member for Dunedin City (Mr. Stout) cries "Question," but I have a few words to say with regard to him. The history of the passage of this Bill forms an example of what has really been taking place in the House, especially with regard to the conduct of that honorable gentleman, who has signalized himself in the most open manner in respect to this Bill by endeavouring to force it upon the House by threats. In this House in past times we have been accustomed to fight our battles fairly and honestly, and to accept decisions that have been fairly come to. We have always supported each other cordially where we were working together. But it has of late years, greatly in consequence of the honorable gentleman's action, arrived at a system of political terrorism which is not creditable to this House. The honorable gentleman stated that if he did not get his own way with regard to a portion of this Bill he would make proposals which would effectually punish the Province of Canterbury. That was the effect of what he said, and we have had that statement in various forms during the session.

Mr. STOUT.—No.

Mr. ROLLESTON.—I say, Yes; and I think it is an unfortunate thing for this House. I, for one, hailed the appearance of that honorable gentleman in this House with some satisfaction, but I think we have had very good reason to regret the part he has taken since he has been

Mr. Rolleston

here. On every possible occasion his voice is heard, sometimes with great usefulness; but I venture to say that there are few members in this House who do not, when he gets up now, feel a kind of dread with regard to the course that he will take on any subject upon which he feels strongly. I do not wish to detain the House longer at this late period of the evening. I simply wish to express my thorough dissent from the provisions of this Bill. As a Canterbury man, I say that a very great change must come over the feelings of any man who has been deeply interested as I have been in the welfare of that part of the country for many years past. The manner in which this Bill has been carried cannot but be a matter of grief to me. A very great change has come over the whole history of that province. I am satisfied that a revolution of this kind, evincing thorough disregard of the feelings of a large portion of the people, cannot be made without bringing considerable evils in its train. We have entered on a career of revolution, the end of which we do not see. I regret to think what will be the feelings of the people throughout the country when they see that so easily, so readily, as in this case, a great change has been brought about without any consultation with them, without any regard for the feelings which have animated them during the last twenty-five years.

Mr. MANDERS.—I simply desire to say that I protest against the third reading of this Bill.

Question put, "That the Bill be read a third time;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	35
Noes	...	...	...	...	18
Majority for	...	...	...	...	17

#### AYES.

Mr. Baigent,	Mr. Manders,
Mr. Ballance,	Mr. Montgomery,
Mr. Beetham,	Mr. Murray,
Mr. Brandon,	Mr. Nahe,
Mr. J. C. Brown,	Mr. O'Rorke,
Mr. Bryce,	Mr. Rees,
Mr. De Lautour,	Mr. Rowe,
Mr. Dignan,	Mr. Sharp,
Mr. Fisher,	Mr. Sheehan,
Mr. Gisborne,	Mr. Shrimski,
Sir G. Grey,	Mr. Swanson,
Mr. Hamlin,	Mr. Takamoana,
Mr. Johnston,	Mr. Tole,
Mr. Joyce,	Mr. W. Wood,
Mr. Kelly,	Mr. Woolcock.
Mr. Kennedy,	<i>Tellers.</i>
Mr. Lumsden,	Mr. Hialop,
Mr. Macandrew,	Mr. Stout.

#### NOES.

Major Atkinson,	Captain Russell,
Mr. Bowen,	Mr. Seymour,
Mr. Burns,	Mr. Sterens,
Mr. Gibbs,	Mr. Sutton,
Mr. Hunter,	Mr. Teschemaker,
Mr. Hursthouse,	Mr. Wason.
Mr. McLean,	

Mr. Ormond,  
Mr. Reid,  
Mr. Richardson,

*Tellers.*  
Mr. Fitzroy,  
Mr. Rolleston.

## PAYRS.

*For.*  
Mr. Bastings,  
Mr. Bunny,  
Mr. Hodgkinson,  
Mr. Larnach,  
Mr. Lusk,  
Mr. Pyke,  
Mr. Reynolds,  
Mr. Seaton,  
Mr. Wakefield,  
Dr. Wallis,  
Mr. R. G. Wood.

*Against.*  
Captain Kenny,  
Mr. Moorhouse,  
Mr. Murray-Aynsley,  
Mr. Williams,  
Mr. Button,  
Mr. Fitzroy,  
Dr. Henry,  
Mr. Stafford,  
Captain Morris,  
Mr. Harper,  
Mr. Cox.

The motion was consequently agreed to, and the Bill read a third time.

## FINANCIAL ARRANGEMENTS BILL.

The House went into Committee on this Bill.

Clause 3.—Interpretation.

Mr. STOUT moved the addition of the following words to the clause: "The word 'district,' in in sections four and six of this Act, means the county constituted under 'The Counties Act, 1876.'"

Question put, "That the words proposed to be added be so added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	29
Noes	...	...	...	...	31
Majority against	...	...	...	...	2

## AYES.

Mr. Barff,  
Mr. Beetham,  
Mr. Bowen,  
Mr. J. C. Brown,  
Mr. De Lautour,  
Sir R. Douglas,  
Mr. Fitzroy,  
Mr. Gibbs,  
Mr. Gisborne,  
Mr. Hamlin,  
Mr. Hialop,  
Mr. Hursthouse,  
Mr. Johnston,  
Mr. Joyce,  
Mr. Kennedy,

Mr. Lumsden,  
Mr. Macandrew,  
Mr. Manders,  
Captain Morris,  
Mr. Ormond,  
Captain Russell,  
Mr. Seymour,  
Mr. Shrimski,  
Mr. Teschemaker,  
Mr. Thomson,  
Mr. Wason,  
Mr. Woolcock.  
*Tellers.*  
Mr. Rees,  
Mr. Stout.

## NOES.

Major Atkinson,  
Mr. Baigent,  
Mr. Ballance,  
Mr. Brandon,  
Mr. Bryce,  
Mr. Burns,  
Mr. Carrington,  
Mr. Curtis,  
Mr. Dignan,  
Mr. Fisher,  
Mr. Fox,  
Sir G. Grey,  
Mr. Hunter,

Mr. Moorhouse,  
Mr. Murray,  
Mr. Nahe,  
Mr. Richardson,  
Mr. Rolleston,  
Mr. Rowe,  
Mr. Sharp,  
Mr. Sheehan,  
Mr. Stevens,  
Mr. Swanson,  
Mr. Takamoana,  
Mr. Tole,  
Mr. W. Wood.

Mr. Kelly,  
Mr. Macfarlane,  
Mr. Montgomery,

*Tellers.*  
Mr. McLean,  
Mr. Reid.

The amendment was consequently negatived, and the clause agreed to.

Clause 4.—Land revenue to form part of Consolidated Fund.

Mr. MCLEAN moved, That the clause be struck out.

Question put, "That the clause be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	40
Noes	...	...	...	...	14
Majority for	...	...	...	...	26

## AYES.

Major Atkinson,  
Mr. Baigent,  
Mr. Ballance,  
Mr. Barff,  
Mr. Beetham,  
Mr. Brandon,  
Mr. Bryce,  
Mr. Carrington,  
Mr. Curtis,  
Mr. De Lautour,  
Mr. Dignan,  
Sir R. Douglas,  
Mr. Fisher,  
Mr. Fox,  
Mr. Gibbs,  
Mr. Gisborne,  
Sir G. Grey,  
Mr. Hamlin,  
Mr. Hialop,  
Mr. Hursthouse,  
Mr. Johnston,

Mr. Joyce,  
Mr. Kelly,  
Mr. Kennedy,  
Mr. Macandrew,  
Mr. Manders,  
Mr. Nahe,  
Mr. Rowe,  
Captain Russell,  
Mr. Seymour,  
Mr. Sharp,  
Mr. Sheehan,  
Mr. Stout,  
Mr. Sutton,  
Mr. Swanson,  
Mr. Takamoana,  
Mr. Tole,  
Mr. Woolcock.

*Tellers.*  
Mr. Macfarlane,  
Mr. Rees.

## NOES.

Mr. Bowen,  
Mr. Fitzroy,  
Mr. Hunter,  
Mr. Montgomery,  
Mr. Moorhouse,  
Mr. Murray,  
Mr. Reid,  
Mr. Richardson,

Mr. Rolleston,  
Mr. Stevens,  
Mr. Teschemaker,  
Mr. Wason.

*Tellers.*

Mr. Burns,  
Mr. McLean.

The clause was consequently agreed to.

Clause 5.—Subsidies payable to County and Borough Councils and Road and River Boards.

Major ATKINSON moved the insertion of the following proviso at the end of the second subsection: "Provided that in any county where no Road Board exists there shall be paid two pounds for every one pound of rates levied."

Question put, "That the proviso be inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	29
Noes	...	...	...	...	17
Majority for	...	...	...	...	12

## AYES.

Major Atkinson,	Mr. Montgomery,
Mr. Ballance,	Mr. Murray,
Mr. Beetham,	Mr. Ormond,
Mr. Bowen,	Mr. Richardson,
Mr. J. C. Brown,	Mr. Rolleston,
Mr. Bryce,	Mr. Rowe,
Mr. Burns,	Mr. Seymour,
Mr. Fitzroy,	Mr. Sharp,
Mr. Gibbs,	Mr. Stevens,
Mr. Gisborne,	Mr. Sutton,
Mr. Hunter,	Mr. Teschemaker,
Mr. Hursthouse,	Mr. Wason,
Mr. Johnston,	<i>Tellers.</i>
Mr. Kelly,	Mr. Kennedy,
Mr. Manders,	Mr. Woolcock.

## NOES.

Mr. Baigent,	Mr. Macandrew,
Mr. De Lautour,	Mr. Nahe,
Mr. Dignan,	Mr. Shrimski,
Mr. Fisher,	Mr. Swanson,
Sir G. Grey,	Mr. Tole,
Mr. Hamlin,	Mr. W. Wood.
Mr. Hislop,	<i>Tellers.</i>
Mr. Joyce,	Mr. Rees,
Mr. Lumsden,	Mr. Stout.

The amendment was consequently agreed to, and the clause as amended agreed to.

Clause 6.—Account of Land Fund to be kept. A sum equal to 20 per cent. thereof to be deducted in respect of each district in which it accrued.

Mr. HISLOP moved, That the word "district" be struck out, for the purpose of inserting the word "county" in lieu thereof.

Question put, "That the word proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	23
Noes	...	...	...	...	24

Majority against ... 1

## AYES.

Major Atkinson,	Mr. Rowe,
Mr. Baigent,	Mr. Seymour,
Mr. Bryce,	Mr. Sharp,
Mr. Burns,	Mr. Sheehan,
Mr. Fisher,	Mr. Stevens,
Mr. Fitzroy,	Mr. Swanson,
Sir G. Grey,	Mr. Takamoana,
Mr. Hunter,	Mr. Tole,
Mr. Kelly,	Mr. Woolcock.
Mr. Montgomery,	<i>Tellers.</i>
Mr. Nahe,	Mr. Murray,
Mr. Richardson,	Mr. Rolleston.

## NOES.

Mr. Beetham,	Mr. Manders,
Mr. Bowen,	Mr. Ormond,
Mr. De Lautour,	Mr. Rees,
Mr. Dignan,	Mr. Shrimski,
Mr. Gibbs,	Mr. Stout,
Mr. Gisborne,	Mr. Sutton,
Mr. Hamlin,	Mr. Teschemaker,

Major Atkinson

Mr. Hursthouse,  
Mr. Johnston,  
Mr. Joyce,  
Mr. Kennedy,  
Mr. Lumsden,  
Mr. Macandrew,

Mr. Wason,  
Mr. W. Wood.

*Tellers.*

Mr. J. C. Brown,  
Mr. Hislop.

The word "district" was consequently struck out.

Question put, "That the word 'county' be inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	27
Noes	...	...	...	...	23

Majority for ... 4

## AYES.

Mr. Beetham,	Mr. Ormond,
Mr. Bowen,	Mr. Rees,
Mr. De Lautour,	Mr. Seymour,
Mr. Gibbs,	Mr. Shrimski,
Mr. Gisborne,	Mr. Stout,
Sir G. Grey,	Mr. Sutton,
Mr. Hamlin,	Mr. Tawiti,
Mr. Hursthouse,	Mr. Teschemaker,
Mr. Johnston,	Mr. Wason,
Mr. Joyce,	Mr. W. Wood,
Mr. Kennedy,	Mr. Woolcock.
Mr. Lumsden,	<i>Tellers.</i>
Mr. Macandrew,	Mr. J. C. Brown,
Mr. Manders,	Mr. Hislop.

## NOES.

Major Atkinson,	Mr. Reid,
Mr. Baigent,	Mr. Richardson,
Mr. Brandon,	Mr. Sharp,
Mr. Bryce,	Mr. Sheehan,
Mr. Dignan,	Mr. Stevens,
Mr. Fisher,	Mr. Swanson,
Mr. Fitzroy,	Mr. Taiaroa,
Mr. Hunter,	Mr. Takamoana,
Mr. Kelly,	Mr. Tole.
Mr. Montgomery,	<i>Tellers.</i>
Mr. Murray,	Mr. Rolleston,
Mr. Nahe,	Mr. Rowe.

The word was consequently inserted.

Mr. MACANDREW moved, That the following proviso be added to the clause: "Provided always that this section shall not be repealed unless by virtue of an Act of the Imperial Parliament being passed in that behalf."

Question put, "That this proviso be added to the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	9
Noes	...	...	...	...	33

Majority against ... 24

## AYES.

Mr. De Lautour,	Mr. Tawiti,
Mr. Fisher,	Mr. W. Wood.
Mr. Shrimski,	<i>Tellers.</i>
Mr. Stout,	Mr. Macandrew,
Mr. Taiaroa,	Mr. Rolleston.

## NOES.

Major Atkinson,  
Mr. Baigent,  
Mr. Ballance,  
Mr. Beetham,  
Mr. Bowen,  
Mr. Brandon,  
Mr. Bryce,  
Mr. Dignan,  
Mr. Gisborne,  
Sir G. Grey,  
Mr. Hamlin,  
Mr. Hislop,  
Mr. Johnston,  
Mr. Joyce,  
Mr. Kelly,  
Mr. Kennedy,  
Mr. Lumsden,

Mr. McLean,  
Mr. Montgomery,  
Mr. Murray,  
Mr. Nahe,  
Mr. Ormond,  
Mr. Rees,  
Mr. Rowe,  
Mr. Seymour,  
Mr. Sharp,  
Mr. Sheehan,  
Mr. Sutton,  
Mr. Swanson,  
Mr. Takamoana,  
Mr. Teschemaker.

## Tellers.

Captain Russell,  
Mr. Tole.

The motion was consequently negatived, and the clause as amended agreed to.

Bill reported with amendments.

On the motion, That the Bill be read a third time,

Mr. MURRAY said,—I move, That the Bill be recommitted for the purpose of reconsidering clause 6. I do so with the object of restoring the clause to its original condition by substituting the word "district" for the word "county," which was struck out in Committee. Many honorable members were absent, and others voted not knowing what the consequence of the alteration would be. This is a very important provision, inasmuch as, if it is passed as altered in Committee, the benefits will be entirely given to certain districts, which will be rolling in affluence, while others will remain in a comparative state of poverty. I therefore, as a matter of equity, move the recommitment of the Bill, for the purpose of making this alteration, and if it is not agreed to I shall then be careless whether the Bill is passed or not.

Question put, "That the word 'now' stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	28
Noes	...	...	...	...	27
Majority for	...	...	...	...	1

## AYES.

Mr. Beetham,  
Mr. Bowen,  
Mr. De Lautour,  
Mr. Gibbs,  
Mr. Gisborne,  
Sir G. Grey,  
Mr. Johnston,  
Mr. Joyce,  
Mr. Kennedy,  
Mr. Lumsden,  
Mr. Macfarlane,  
Mr. Manders,  
Mr. Moorhouse,  
Captain Morris,  
Mr. Nahe,

Mr. Ormond,  
Mr. Rees,  
Captain Russell,  
Mr. Shrimski,  
Mr. Stout,  
Mr. Sutton,  
Mr. Takamoana,  
Mr. Teschemaker,  
Mr. Wason,  
Mr. W. Wood,  
Mr. Woolcock.

## Tellers.

Mr. J. C. Brown,  
Mr. Hislop.

## NOES.

Major Atkinson,  
Mr. Baigent,  
Mr. Ballance,  
Mr. Brandon,  
Mr. Bryce,  
Mr. Burns,  
Mr. Dignan,  
Mr. Fisher,  
Mr. Fitzroy,  
Mr. Hamlin,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Kelly,  
Mr. McLean,

Mr. Montgomery,  
Mr. O'Rourke,  
Mr. Reid,  
Mr. Richardson,  
Mr. Rowe,  
Mr. Seymour,  
Mr. Sharp,  
Mr. Sheehan,  
Mr. Stevens,  
Mr. Swanson,  
Mr. Tole.

## Tellers.

Mr. Murray,  
Mr. Rolleston.

The amendment was consequently negatived, and the Bill read a third time.

## RATING BILL.

Mr. SHEEHAN, in moving the second reading of this Bill, said his remarks upon it would also apply to the Counties Bill. In dealing with those two questions the Government had taken up a few of the more important technical defects in the existing measures. They looked upon it as utterly impossible to grapple with all the amendments which might be proposed this session, and that both subjects might be dealt with on a larger scale next year. The House would then have two years' experience of the working of the measures, and would be better able to apply remedies as experience suggested. The principal features in the present Bill were, first of all, the establishment of a triennial valuation, and, secondly, the restoration to the ratepayers of the right, in annual meeting assembled, to state what should be the amount of the rate.

Mr. SEYMOUR would call the attention of the honorable member in charge of the Bill to the provisions by which it was proposed that the valuation should be made by the County Council and not by the Road Boards, and that the first valuation was to be completed on or before the 15th January, 1878; and he would point out that in the case of the County Councils which had not yet come under the full operation of the Counties Act it would be quite impossible that the valuation could be made by the 15th January. Probably the honorable gentleman would agree to allow a little more time. This suggestion applied as well to the Counties Bill as to the Rating Bill.

Mr. STEVENS said the amendments required in the present rating system were so numerous and considerable that he trusted the Government would take such steps as would enable the public to obtain a full acquaintance with this subject some time before they brought forward their measure next session. He believed that the circulation of the Bill in the country would greatly tend to facilitate its passage through the House. He would like to call the honorable gentleman's attention in particular to the unfortunate position in which a certain class of occupiers were now placed—those who held leases of land in the neighbourhood of towns where, the assessment being at a very high rate in consequence of the principle laid down in the

Bill, the tenant in some instances might actually be rated at several times more than the rent he was paying. An amendment might be embodied in the Bill to effect a change in that respect, and thus relieve many people who were at present placed in an unfortunate and unfair position. He had no objection to this Bill as it stood, but he trusted that the Government would take care that the Bill which they would introduce next year should have full publicity, and be of a comprehensive character.

Mr. SUTTON said the only objection he had to the Bill was that in clause 3 it provided that the valuation for the future was to be made by the counties, and not by the Road Boards. He quite agreed with the principle that one valuation was sufficient; but, at all events in the district from which he came, the practice of the Road Boards conducting the valuation had been found much more economical and efficient than under the counties. The Road Boards of one of the counties in Hawke's Bay last year got their valuation done at an expense of something like £80, and the county advertised for the valuation of a small and outlying portion of the county, and £150 had to be paid for the work. Another alteration he would suggest was in reference to the Assessment Court. The Rating Act as it at present stood gave a great deal of unnecessary work to the Judge of the Assessment Court. He was not sure whether the proposal to revive the power of the ratepayers to levy the rate at the annual meeting would be an improvement. He was under the impression that last year the system of the Boards levying the rate under the Provincial Ordinance gave general satisfaction to Hawke's Bay. The ratepayers had always levied the rate previous to the coming into operation of the Rating Act, which made it incumbent on the Boards to levy the rate. The feeling in Hawke's Bay was in favour of the power being in the hands of the Board instead of the ratepayers.

Mr. BAIGENT would like to know what effect this Bill would have upon the road districts in which the rates had already been levied. His district had only just levied a rate, and if this Bill passed they would have to levy another in the month of January. The same thing occurred last year. The Board levied a rate which ended in June, and under the Rating Act they had to levy another rate, and in consequence an appeal had to be made to the Resident Magistrate's Court, which decided that the rate levied for June was valid.

Mr. SHEEHAN said, with regard to the point raised by the honorable member for Wairau, the honorable gentleman had mentioned it to him previously, and he would take steps to have a clause to meet the case introduced into the Bill during its passage through the other House. The point referred to by the honorable member for Waimea was of some importance, and had apparently been overlooked in drafting the Bill. In this case, also, he would have a clause drawn and proposed in the Legislative Council.

Bill read a second time.

The House adjourned at half-past one o'clock a.m.

Mr. Stevens

## LEGISLATIVE COUNCIL.

Wednesday, 5th December, 1877.

First Readings—Second Readings—Third Reading—Sir William Jervois's Visit—Port of Whangarei Bill—Strath Taieri Railway Bill—Canterbury Railway Lands Bill—Land Bill—Nelson and Westland Coal Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

### FIRST READINGS.

Financial Arrangements Bill, Waste Lands Sale Bill, Nelson Gasworks and Waterworks Bill, Hutt County Offices Bill, Timaru and Gladstone Board of Works Property Vesting Bill, Middle Island Half-caste Crown Grants Bill.

### SECOND READINGS.

Foxton Reserves Bill, Nelson Gasworks and Waterworks Bill, Timaru and Gladstone Board of Works Property Vesting Bill.

### THIRD READING.

Government Native Land Purchases Bill.

### SIR W. JERVOIS'S VISIT.

The Hon. Mr. HALL, in moving the motion standing in his name, said he gave notice of it in consequence of the memoranda between the Governor and Ministers which were laid on the table of the Council on the previous day relating to the proposed visit to this colony of Sir William Jervois and Colonel Scratchley, two distinguished officers of Royal Engineers, in order to report on the best means for providing for the defence of the harbours of New Zealand. Those gentlemen were, as he was informed, almost if not entirely at the head of this special branch of their profession. The neighbouring Australasian Colonies, being desirous to put their harbours as far as they could in a state of defence, applied to the Imperial Government to grant the services of two leading officers of Royal Engineers, to advise as to how that could best be done. This was conceded, and the two officers he had mentioned were sent to Australia. When those gentlemen arrived there, and entered upon their task, there was a very strong expression of public opinion throughout various parts of New Zealand that it would be desirable that this colony should also have the benefit to be derived from their advice on the subject; and shortly before the session His Excellency, at the request of his late Ministers, sent an application, he understood, to the Imperial Government to allow Sir William Jervois and Colonel Scratchley, after they had completed their task in Australia, to visit New Zealand, examine the harbours, and report how they could best be defended within the means likely to be at the disposal of the colony. The Imperial Government, at the request of the colony so conveyed, authorized the officers to visit New Zealand; and accordingly the correspondence on the table commenced with an intimation from Sir William Jervois that he was now ready to visit New Zealand, and he asked

that the "Hinemoa" might be sent to Hobart Town for him. In a subsequent telegram he asked that the "Hinemoa" might be sent to the Bluff only, to convey him thence to the different parts of the colony as might be found necessary. It appeared to him (Mr. Hall) that the colony, after having dealt with the Imperial Government, was honorably committed to go on with this work; that the original invitation was really the act of the colony, and should not have been revoked without very urgent reasons. He was anxious by the resolution he had tabled to ascertain whether those reasons existed, and therefore he asked what were the special services which rendered it impossible to send the "Hinemoa" as requested. They had been told by the Colonial Secretary that the "Hinemoa" would be despatched with members of Parliament to their homes in the North in the course of a day or two. She would therefore be in working order at the time required, and nothing would be easier than, when she had completed that duty, for her to go either to Hobart Town or to the Bluff. They read in the memorandum that she could not be spared, and he thought honorable members were entitled to be informed what the special services were which rendered it impossible to spare her. These papers further stated that Ministers, on understanding from the Governor that it was open to the colony to reconsider the arrangement, went on to state that the financial position of the colony was such that they did not think it was expedient that this inquiry should be gone on with; and they positively refused the services of the "Hinemoa." He wished to avoid, especially at this period of the session, anything which might be considered irritating, but he could not help saying that the reply to the Governor's memorandum No. 4 was, as the Governor justly characterized it, "curt," and not so courteous as every communication addressed to His Excellency, and, practically, through him to the Imperial Government, should have been. It simply said, "Ministers regret that the 'Hinemoa,' as they have already said, is required for other purposes." He regretted very much that the decision of Ministers was not conveyed in terms more fitting and courteous. Ministers went on to say that they believed the external defence of the colony should be provided by the Imperial Navy. That the Imperial Navy should assist in the defence of British colonies they would all agree; but it was a matter for great regret that Ministers, speaking on behalf of New Zealand, had not acknowledged at the same time that it was the bounden duty of the colonies to assist, so far as their means would allow, in the important work of their own defences. This statement on the part of New Zealand contrasted most unfavourably with the conduct of the neighbouring colonies. The whole of the Australian Colonies, he believed, had not only gladly accepted the services of Sir William Jervois and Colonel Scratchley, but he gathered from the papers that in most of them steps had already been taken to carry out their recommendations. He thought, in the first place, that the Government should have acknowledged that there was an engagement subsisting on the part

of the colony, which it was their duty to carry out. He did not think that, in a case of this kind, where the Governor, at the request of a previous Ministry, had asked the Imperial Government to render New Zealand a certain service, their successors, even if they did not altogether agree with that opinion, should so lightly have reversed previous action. This proceeding might place the colony in a very unfortunate position with regard to the Imperial Government; and at a future time, if we should happen to request Imperial assistance, he should not be surprised if we were less likely to obtain it than we otherwise should have been. The financial difficulties raised by Ministers were not at all satisfactory: in fact, he might describe them as of a flimsy character. What was it that was asked for in the present case? Not to authorize expenditure on the works of defence which might be ultimately recommended. That question Parliament would have had to consider when they received a report, and they might or might not consider they were justified in going on with the proposed works. All that was asked at the present time was, that a small expenditure should be incurred for the purpose of paying the salaries of those officers while engaged in the discharge of this duty, and for their travelling expenses while in the colony. He could not know exactly what the amount would come to, but, as far as he could gather, it would not have amounted to more than, at the outside, one or two thousand pounds. It was altogether out of the question to pretend that a colony which was spending at the rate of about three millions a year could not have afforded a couple of thousand pounds to get the best professional opinions which could be obtained upon the means of defending its harbours. That was why he believed that Ministers had acted wrongly on this occasion. He did not think their action was justifiable. Moreover, it was exceedingly unwise, because, if this statement of the alleged difficulties of our financial position went abroad, as of course it would, it would cause comment not only in the neighbouring colonies, but in the mother-country, where it would be published on authority of New Zealand Ministers that New Zealand had refused the services of leading officers of the Royal Engineers because it could not afford to pay a few hundred pounds for their salary and travelling expenses. That would do more damage to our credit than almost any other proceeding which the Government could have adopted. He had not had an opportunity of reading over the memoranda since they had been laid upon the table in a printed form; but, speaking from memory, he considered that the opinion, as expressed by Ministers, that the defence of this colony from external aggression was not to be part of our own duty, but was to devolve upon the Imperial Navy, was an unworthy position for our Ministers to take up. No doubt we might fairly expect assistance from the Imperial Government, but we could not reasonably ask for it unless we put our own shoulders to the wheel and did as much as in us lay to provide for our own protection. The physical configuration of this colony, and

the manner in which it was settled, were such as rendered it especially incumbent upon us to provide for the defence of its harbours. The settlements in New Zealand, being to a greater extent located on its coast than those of almost any other colony, were more exposed to attacks by sea, and therefore it was more incumbent upon them, if they wished to live in anything like safety for themselves or their property, to make provision for the defence of the harbours. The resolution of which he had given notice he did not think could possibly be objected to—in fact, it was hardly as strong as he thought the occasion would have warranted; but he had written it on the spur of the moment, and he preferred to propose it in the shape in which it stood. In conclusion, he felt bound to state his conviction that, from what he knew of the public feeling of the colony on this subject, Ministers in the course they had taken had not represented fairly the feeling of the colony on this subject; and that, when what they had done came to be thoroughly known, the people of New Zealand would generally disapprove of the course they had taken.

Motion made, and question proposed, "That it is desirable this Council should be informed what are the duties for which the services of the Government steamer 'Hinemoa' will be required during December and January, and which rendered it impossible to place that vessel at the disposal of Sir W. Jervois and Colonel Scratchley, for the purpose of enabling them to report on the defence of the harbours of New Zealand."—(*Hon. Mr. Hall.*)

The Hon. Colonel BRETT, in concurring with the views just stated by the Hon. Mr. Hall, could not help expressing deep pain at the humiliating position in which His Excellency Sir William Jervois had been placed by the action of the present Government in refusing the very modest request which had been made, and which was always granted on similar occasions. He believed that the visit of these distinguished officers and their report would only have cost £2,000. Surely the country was in a position to pay that sum. Could it not have been taken out of the amount that had been placed at the disposal of the Government for the Volunteer and Militia services?

The Hon. Captain FRASER.—From the honorarium.

The Hon. Colonel BRETT would be quite willing to sacrifice his honorarium for such a purpose. It was a work which the country expected the Government to carry out. The people of the colony had for many years been dissatisfied with the money which had been lavished upon military matters. He also felt deeply pained at the false position in which the Marquis of Normanby had been placed by his Advisers. He considered that every line of Ministers' memoranda contained an insult to His Excellency the Governor, an insult to the country, and an insult to Sir William Jervois. The Government had broken faith with that distinguished officer. Sir William Jervois was not a commonplace officer. He was one of the most distinguished officers of the day, and a gentleman whose

*Hon. Mr. Hall*

writings on fortification were standard works in every civilized nation in Europe, and who was quoted as a very high authority. Surely, when it was known that this officer was coming to Australia for the purpose of reporting upon the defences there, it was only natural that this colony should desire to avail itself of the opportunity thus afforded to obtain the advice of so experienced an authority. The late Government therefore applied to the Imperial Government, who gave their sanction to Sir William Jervois and Colonel Scratchley visiting New Zealand, and those officers themselves cheerfully expressed their willingness to undertake the duty. When all the arrangements were made the present Government took the most unexpected course disclosed by the memoranda. When the Colonial Secretary informed him the other day, in answer to a question, that this distinguished officer would be in New Zealand by the end of next month these memoranda had been concocted, and surely his honorable friend could not have been throwing dust in the eyes of the Council to deceive them. He had too high an opinion of the honorable gentleman to suppose that that was the case; but it had the appearance of it. It was an acknowledged principle that incoming Ministries should recognize agreements made between their predecessors and the Ministries of other nations; but had the present Government complied with that rule? They ought to have implicitly done so; it was a point of honor; and a sense of duty should have compelled them to carry out the arrangement made by the late Government. He hoped this country possessed men of loyalty, men of courage, and men of feeling who would devote whatever resources were at their command towards defending the country from any invasion or from any internal enemy; and it was upon the loyalty and courage of their countrymen that they must depend. It was in times of peace that all civilized nations placed themselves in a state of preparedness for war. If the country was not in a position to spend large sums of money upon a general system of defence, it could utilize Sir William Jervois's report and plans by using prison labour for the purpose of, from time to time, erecting breastworks and forts, at a trifling cost. They knew not the day when this country might be overwhelmed with immigrants who could not get the means of support, and then the country could employ them on these defence works, as in India thousands of the starving people were being employed on public works. The present Government, he was sorry to say, had not the chivalrous feelings and high principles that would compel them to carry out the intentions of the late Government in this matter. He was sure that the late Government would not have acted in the same discourteous manner. He pitied men who could be so discourteous and so wanting in proper regard for honesty and uprightness. He begged to move, as an amendment, the following addition to the motion of the Hon. Mr. Hall: That this Council has learned with regret that the present Government has declined to give effect to the arrangement made by His Excellency the Go-

vernor, on the advice of the late Ministry, for obtaining a report on the subject of the defences of the colony by Sir William Jervois, whose services have been granted for this purpose by the Imperial Government.

The Hon. Captain FRASER said they had lately seen the Hon. Mr. Mantell wishing to exclude explosive substances from the colony: now they had explosive natures in this Council. They had twice blown up the Municipal Corporation of Wellington, and, not satisfied with that, they had now blown up the Government. He was not an alarmist, and had always spoken against any attempt to fortify the harbours. In the first place, they had twelve harbours which would have to be fortified. They had seen that in the neighbouring colony of Victoria they were very unwilling to carry out the report of Sir William Jervois on account of its cost. There they had only one harbour to defend, and the proposed expenditure was £350,000. Here upwards of one million of money would be required for the purpose. The enemy most to be dreaded in this colony was their debt, and, instead of the action of the Government in this matter shaking the credit of the colony at Home, it would have the opposite effect. It would show that they were honest and wished to pay their debt, and did not want to add to that debt. There was a committee now sitting at Woolwich, and they were not at all satisfied that they had yet attained the proper system of defending harbours, and were making experiment upon experiment with the torpedo system. Sir Donald McLean had been conducting correspondence on the subject, but he, no doubt, only intended to spend a few thousand pounds in placing torpedoes at the mouths of the harbours. It would be a waste of time and money to bring those officers here to make a report on the harbours, because, whatever system they recommended, if the colony carried it out it would be antiquated before it was finished. Year after year new inventions came out which would render all attempts to fortify their ports perfectly futile. He therefore thought the Government had taken a very wise step, and that if they would pay attention to retrenchment throughout the country they would be getting rid of the most formidable enemy that the colony ever had—namely, an overwhelming and crushing debt.

The Hon. Colonel KENNY said the Hon. Colonel Brett had accused the Government of throwing dust in the eyes of the Council, but he thought the honorable gentleman himself had succeeded in kicking up a considerable dust. He would not enter into the question of defences. They remembered the old saying, that "there was nothing like leather," and it appeared to him that the Hon. Colonel Brett thought there was nothing like breastworks; but breastworks could be thrown up in twenty-four hours, and the question before them was a far more serious matter. But he would not enter into that question, which he thought was not within their province just at present, or at any rate upon the motion put before them. He was not going to say that the Governor had been humiliated. He was not

going to agree that any one had been humiliated or insulted. He preferred to take a practical view of the question. The honorable gentleman jumped at conclusions, and did not look at the intermediate questions. The present Government had been blamed, and he was not about to stand up for them. He was a supporter of all Governments so long as he could support them reasonably and consistently. He did not set himself up as a supporter of the present Government specially; but why should they be blamed? What did the late Government do? The Legislature had not been called upon to express any opinion upon the subject. It was not put before the House of Representatives, and there had been no vote taken for it. Therefore he thought the present Government had a right to consider the question as it came before them. If their predecessors had taken the opinion of the House of Representatives, if they had placed a vote on the Estimates, the present Government would have been inexcusable for their action. After the representatives of the people had expressed an opinion by passing a vote, they would have been bound to take the course now urged upon them. He did not like to hear such strong language used as "humiliation of Governors." Such language should only be used in very extreme cases. Of course this was not part of the real question before the Council, because the motion of the Hon. Mr. Hall was very simple, and only asked for information as to the services in which the "Hinemoa" was to be engaged. But when honorable members wandered away from that and went into another subject, it ought to be raised on another motion. As, however, the question had been raised, he had ventured to express his opinions, because why should they condemn the Government without a hearing? He did not see that they had done anything so very wrong. The action of the Prime Minister was one thing; but was there no justification for it? Perhaps the Colonial Secretary could throw some light on that subject. He would vote for the motion of the Hon. Mr. Hall, and he did not think that motion should be intercepted by an addition of a totally different character.

The Hon. the SPEAKER said he would not have allowed the addition to be put to the Council if he had not been of opinion that it was relevant. He looked upon the addition as of an analogous character.

The Hon. Colonel KENNY explained that he did not for a moment venture to say that the Hon. the Speaker put an improper motion, but he said that it would have been better if the Hon. Colonel Brett had raised the question on a separate motion.

The Hon. Dr. GRACE said that unfortunately he was under the impression that there was merely to be a question asked upon the subject, and was therefore quite unprepared for any discussion; but, as the whole matter was now before the Council, he would take the opportunity of saying that he thought it unfortunate that the Government should have taken the exact means they had taken to arrest the intended action which was referred to by this motion. He



thought it unfortunate that when the Government came into office, disapproving of Sir William Jervois's intended visit, as, for the sake of argument, he would consider they did, they did not notify to that gentleman in time their opinion that his services would not be required. The only thing he regretted in the whole correspondence was the apparent discourtesy to Sir William Jervois in the sudden manner in which this change in the mind of the colony was notified. For his own part, he did not think it was an intentional discourtesy or disrespect. The probability was that, in the hurry and agitation of business, this amongst other and he trusted not too many important matters might have been overlooked by the Government. No doubt the colony stood in an undesirable position in regard to the whole question. The nature of the correspondence that had taken place between the Premier and His Excellency showed, he thought, that, at any rate, the views of the Government had somewhat rapidly matured on the subject. What he regretted was that the Government, entertaining the opinions they apparently did, had not brought the matter before the consideration of the House of Parliament at an early date. As he had said before, he did not think that any discourtesy which might have been shown by Ministers to Sir William Jervois in this matter was in any way intentional. From his experience of the colony he believed they had not yet come to such a position that their public men were prepared intentionally to show discourtesy to an Imperial officer. He was not prepared to accept that position. The correspondence, he thought, showed a considerable amount of clumsiness on the part of Ministers. When a Government wished to show discourtesy they did not generally go out of their way to be clumsy. He thought the correspondence showed that the Government were desirous of economizing in a legitimate direction. It was a perfectly open question whether the expenditure necessarily involved in this proposal was an advisable expenditure in the condition of the colony. More than that, there was the fact that the Government must have known that, if they had not even at the eleventh hour intervened in some way, *pro tanto* they would have committed themselves to the expenditure such a recommendation would involve — that was, to the extent to which they were approvers of the suggestion for harbour defences. But let it not be for a moment supposed that he was exculpating the Government. He contended that the Government, in a matter of this great importance, ought to have taken some decided action, and ought not to have been surprised into a correspondence of this kind. The least the Government were bound to do was to take the opinion of the House of Representatives, and in the meantime in their correspondence with the Governor on the subject they ought to have been more guarded, and ought to have expressed themselves in a manner less open to cavil. He could not sit down without alluding to the importance of the most studied courtesy in the conduct of all public correspondence with officers of the Imperial Government. He looked with alarm

Hon. Dr. Grace

at any even accidental curtness or discourtesy in correspondence between the Government of this colony and gentlemen representing Her Majesty the Queen.

The Hon. Colonel WHITMORE said the Government had been assailed by several honorable members, and in most unmeasured terms by the Hon. Colonel Brett. Were it not for the high opinion they had of the honorable gentleman's character, and the positive certainty that he spoke without *arrière pensée* and that the worst was on his lips, he would say that the honorable gentleman's language was exceedingly discourteous to Ministers, and most improper to apply in a half-heard case. The actual question before them was, whether or not it was desirable that the Council should be informed what were the duties on which the "Hinemoa" was to be employed which would preclude her being placed at the disposal of Sir William Jervois. He did not propose to give a schedule of the services for which that steamer was detailed for the next few months, but might say, in a general way, that the Government had purposes to which they intended to devote her of great importance to the colony, and which rendered it absolutely imperative in their opinion to have her available at any moment. Inasmuch as those circumstances were not entirely within their own control, they thought it would be improper, as it might be exceedingly inconvenient, to enter into any details on the subject. But, with regard to the immediate future, he might say that, as soon as the steamer had taken members to their homes, she would be required to proceed to the Three Kings to relieve persons there who would be soon in distress for supplies. This would engage her for considerably past the period at which Sir William Jervois was expected. Had that been all honorable gentlemen were anxious to know, the debate would not have lasted long; but it appeared that under cover of this motion it was desired to rip up the whole question of the unfortunate correspondence which had been laid on the table of the Council. He could not help thinking that this correspondence had entirely arisen from a misconception on the part of everybody concerned. He thought it arose originally in a misconception on the part of the late Government. It seemed that they had followed their leaders in the same way as the other colonies had done in asking for a visit from Sir William Jervois, and had done so without very great reflection, and without making any provision for it. They seemed to have entirely forgotten it, and there were no records of such a thing at all in the offices. The House was never invited to express an opinion on the subject, although the late Government was in office during the first three months of the session. That was the first misconception. Then he thought that the late Ministry, in following the lead of the neighbouring colonies, fell into an error which also pervaded those colonies. There was some scare at the time when the Russo-Turkish war broke out, and, without much reflection, the colonists wished to defend their harbours. Now, however, when it turned out that the Rus-

sians had rather caught a Tartar in the Turks, people's minds had a little altered, and in Australia the carefully-prepared reports of these officers were practically thrown aside as waste paper. He would ask whether it was not more respectful to those officers not to trouble them to come here than to ask them to come and then, when they had carefully prepared reports and plans, to throw them on one side by a vote of Parliament. He thought, when the colony had reason to believe that the necessity for this measure was past, it would be most improper, looking at it as a new question, to invite these gentlemen to inspect the harbours and to make recommendations for carrying out works which the colony would not execute. The Government, however, thought it was not a case of that character. They did not regard it as a new thing. The Government had great difficulty in finding out what were the facts of the case. They were prepared, from the first, to have received Sir William Jervois, and to have shown him the consideration due to his distinguished services, his high attainments, and his high position in these colonies. No person could be more sensible of that gentleman's high character and position than himself (Colonel Whitmore). He had been intimate with Sir William Jervois for many years, he had served with him through more than one campaign, and he had even been in correspondence with him since his arrival in this colony. He knew no one in the scientific branch of the service for whom he had a higher respect than for Sir William Jervois, and he would be the last person to put any affront on him. Then came the next misconception, which appeared to him to have pervaded the minds of some members of the Council also—that was with regard to the employment of the "*Hinemoa*" in going over to Hobart Town to bring Sir William Jervois to the colony. That was not a question at issue at all. Not only did the Government not propose to do that, but His Excellency the Governor did not even wish them to do so. His Excellency made no secret of that. He informed the Government, though it did not appear in the memoranda, that he thought it was unreasonable. He could hardly suppose, therefore, that this would be laid to their blame. Then it appeared that, during a sitting of the other branch of the Legislature and of the Council, a message was brought to the Premier, asking him to give an immediate answer to the telegram which appeared on page 2 of the correspondence. The answer to that was written with telegraphic brevity as an answer to a telegram. There was no intention to show discourtesy or curtness, and it was intended to be of exactly the same description as the communication to which it was supposed to be a reply. His Excellency, however, fell into a not unnatural error in consequence of the shortness of the communication, which he called a "curt" reply. His Excellency then went on to say that if Ministers did not wish Sir William Jervois to come here they had better say so. In doing that, he sent the memorandum by Major Atkinson, which they then saw for the first time. Ministers, in reply, apologised for anything that might have been at

all supposed to be curt or disrespectful, and informed His Excellency that they had been unaware, until the receipt of his communication, that they had any option as regards Sir William Jervois's visit. As a proof of this, he might say that they had placed on the Supplementary Estimates £2,000 to provide the necessary funds; but when they found they had an option they reviewed the whole thing as *de novo*. They observed that the neighbouring colonies, after having employed Sir William Jervois and received his report, had laid it aside on account of the expense, and that those colonies had but a single harbour each to defend; and they came to the conclusion that they could not hope to carry out such works in this colony, where there were so many harbours to defend, and where, if they left one port undefended, they would cause great dissatisfaction. That was the theory that Ministers formed, and, thinking that Sir William Jervois should not be put to any inconvenience at all, and should be told of their change of mind beforehand, they wrote to His Excellency to say that, under all the circumstances, they would be obliged if he would communicate with Sir William Jervois and ask him to postpone his visit. His Excellency appeared to have hardly gathered the meaning of Ministers, because he said that they proposed to postpone the visit indefinitely. He did not think that was the intention, but even if they had recommended that the visit be indefinitely postponed he did not think that anybody should blame them. The position of the Government was this: At first they thought they were bound to bring Sir William Jervois to the colony; they were willing to make proper provision for it, and placed on the Supplementary Estimates £2,000; but they could not give him the Government steamer, which it was necessary to have at their beck and call for purposes of State. They were, however, prepared to engage suitable steamer accommodation, and, as honorable members knew, the present steam communication on the coast was of a very high order. They had been prepared to receive Sir William Jervois as an officer of so much distinction should be received, and to lay his report before Parliament as soon as Parliament was assembled. That they would have done, believing they had no choice; but when they were practically required to take the whole responsibility for his visit, and considering that it was no use asking him to come here if his recommendations were not to be adopted, they did not wish to put him to inconvenience for nothing. They felt that this colony was under great obligations to the mother-country, and that it was their duty, as it should be their pride, to show every possible respect to officers of the Imperial Government, and he had no doubt that, should occasion arise, they would show a sense of their obligations. Even on a recent occasion, when a distant part of the Empire needed assistance, New Zealand sent Home very handsome subscriptions—a fact which reflected the highest credit on the people of the colony. The Government understood the feeling of the people, and would endeavour to take it as their guide; but there were ways in which their

loyalty could be shown besides going to the expense of building fortifications at every harbour in the colony. They could perhaps do much more by relieving England of a risk in defending the colony from internal enemies than they could by taking up expensive works of fortification. Only the other day at the Cape of Good Hope there was a danger of an outbreak in which Imperial troops might have been required, though, in the end, that colony did not want any assistance from the Imperial troops. When they had made themselves more secure against the internal enemy in the way of opening up the country by means of roads and bridges, they would be able to devote money to the improvement of the harbours by constructing fortifications. He hoped the honorable gentleman who proposed the motion would withdraw it, and that the honorable gentleman who had moved the amendment would not attempt, at that late period of the session, to pass what might be considered a vote of censure upon the Government on false issues and by a side-wind. Let them bring down a distinct motion. The Government thought there had been a misconception in the matter, or else honorable gentlemen would never have expressed themselves so strongly as they had. The Government entirely agreed that if there was the least risk of being discourteous to Sir William Jervois it would have been undesirable to dispense with his visit; but they had no reason whatever to believe that the action they had taken would be regarded as discourteous. They considered it left to them to decide the matter which way they liked, and they believed that in declining the services of those gentlemen they had only done what the sense of the bulk of the people in this country would approve of, if that visit was to have been followed by a large expenditure, say of one or two hundred thousand pounds, at each principal harbour. On the other hand, if they had only paid the moderate expense of a visit, there would have been no outcome whatever from that visit. He hoped that the information he had given would satisfy honorable gentlemen, and that neither the motion nor the amendment would be persisted in, because he thought there had been nothing to justify a vote of censure upon the Government.

The Hon. Mr. MANTELL regretted that the discussion had not been confined to the resolution tabled by the Hon. Mr. Hall. No doubt the Hon. Colonel Brett, who had moved an amendment, would by this time be convinced that his amendment either did not go far enough or went too far, and should be withdrawn. At the same time, he regretted that the information elicited by the Hon. Mr. Hall's resolution had been so very vague. All they had heard was that the vessel was to be engaged; but he thought it would have been possible for the honorable gentleman to have said in what work she was to be engaged: it might be conveying Ministers about. However, it was not worth while discussing the matter, and he did not want to refer to the correspondence any more, although he grieved over it. The excuse made by the honorable gentleman that the discourtesy must have arisen from clumsiness in

*Hon. Colonel Whitmore*

writing the official memorandum was absolutely absurd. If any colleague of the honorable gentleman who was new to official life had written the memorandum he could only say that that gentleman was highly to blame for not having called in the advice and experience of the Premier. If the Premier wrote the memorandum, the assumption that, though there was an apparent discourtesy, it was not intended, must fall to the ground. He had the greatest respect for the Premier, and of all his claims to respect none ranked higher than his power of conducting a memorandum, from whichever side he took. He hoped the Hon. Colonel Brett would allow the discussion on this painful subject to cease.

The Hon. Mr. HALL would be willing to withdraw his motion, as he had elicited the information given.

The Hon. Mr. HOLMES was not prepared to speak at any length on the subject, but he wished to express his regret that this correspondence should have taken place, because he could assure the Colonial Secretary that it had raised a great deal of ill-feeling out of doors. There was no doubt that the Government had been for some months perfectly aware that it was intended to bring Sir William Jervois to New Zealand for the purpose of examining our harbours. It was also well known that the only points at which we could be defended were at our harbours, and that some of those harbours were so situated that for a very small sum they could be fortified and made sufficiently strong to resist attacks from any privateers that might visit our coasts. That, he believed, was the idea of the late Government and of people generally who had thought upon the subject. It would be a matter for very great regret that, after everything was matured for the colony getting such valuable advice, it should be thrown aside upon what he must consider to be inadequate grounds. There were a great many parties to this arrangement, and the fact that the Colonial Office in England, the Governor of this colony, and Sir William Jervois were all parties to it should have weighed with the present Government before they took such a course as they had adopted. The present Government were bound in honor to carry out the arrangement which had been entered into in this respect. It had been said that no money was voted for the purpose, and that there was nothing upon the Estimates; but that was a very frivolous excuse. It was said that the amount would not extend over one or two thousand pounds; yet scarcely a week passed in which the Government did not enter into preliminary arrangements for the expenditure of much more than one or two thousand pounds on works of all kinds, such as surveys of railways, and the Government did not come down and ask Parliament for a vote before such preliminary expenditure was incurred. The excuse was extremely frivolous, and quite unworthy of any Government. It was his opinion, although he had not had an opportunity of reading all the correspondence, that the conduct of Ministers in the transaction was calculated to degrade the colony in the eyes of her Australian neighbours, and also at Home.

Was it to be supposed that this matter would be passed over unnoticed in England? Would the *Times* not take notice of it? Would it not most likely form matter for a leading article in that journal, and would not the position of New Zealand be reflected upon? Would it not affect the financial position of New Zealand in the London money market very materially when the Premier of the colony was found to be declaring that the Government could not undertake a very necessary work because the colony could not afford to expend a few thousand pounds, and that at the very time when it was proposed to go into the English money market and ask for a loan of from two to four millions of money? He considered the Government had taken a course which would do the colony the greatest possible injury, and if they had wished to do the colony an injury as regarded the state of its finances they could not have succeeded better than by means of this correspondence with the Governor. It had been said by some honorable members that the action of the Government had been consequent upon a desire to economize; but he could not understand the manner in which they purposed to economize. They purposed giving much larger grants to various bodies than were given before; besides, they had taken over what they themselves estimated at £880,000 of land revenue, which no previous Government had had—

The Hon. the SPEAKER thought the honorable member somewhat out of order.

The Hon. Mr. HOLMES said Auckland was to get £20,000 above what she was entitled to—however, he would not trespass further. It had also been said that the Australian Colonies were not adopting the plans recommended by these officers; but from the very latest accounts he observed that £350,000 had been voted for that purpose by Victoria. As to the other colonies, he believed their action was a mere question of time. In Sydney there was a great strife between parties, and that prevented New South Wales undertaking any work of the kind for the present; but he believed that the plans suggested by Sir William Jervois and Colonel Scratchley would eventually be carried out by the other colonies. He could only express his regret that this correspondence had taken place, and that the colony was not to have the services of these officers for what he considered to be a very necessary purpose.

The Hon. the SPEAKER said he had not wished to interrupt the Hon. Mr. Holmes, but he should have previously asked the Hon. Colonel Brett if he acceded to the request to withdraw his amendment.

The Hon. Colonel BRETT said that, as the explanation of the Hon. the Colonial Secretary had quite satisfied him, he would ask permission of the Council to withdraw the amendment he had moved.

The Hon. Mr. BUCKLEY, before the question was put, wished to say that he quite agreed with the remarks of the Hon. Dr. Grace, but he thought there was one part of the correspondence before the Council which would cause very serious alarm outside the colony were the facts

were not so well known. That was the following passage, which appeared in a memorandum, dated the 3rd December, by the Premier:—

"They [Ministers] feel satisfied that New Zealand could not at this moment incur any large expenditure on public works for the defence of the many harbours of the colony. They might, possibly with but little warning, have to make provision for resisting an internal enemy, who might prove much more dangerous than any external foe."

The only inference to be drawn from such a passage was that the Ministry anticipated a Native war, and such a statement must inevitably cause serious injury to the credit of the colony. Nothing could possibly injure the colony's credit more than the mere fact of there being a likelihood of Native disturbances. He should like to ask whether the Government had such an anticipation.

The Hon. Colonel WHITMORE.—The honorable gentleman must give notice of the question.

Amendment and motion by leave withdrawn.

#### PORT OF WHANGAREI BILL.

The Hon. Mr. G. R. JOHNSON, in moving the second reading of this Bill, said it was desired to place the River Whangarei under the control of the County Council. The fact was that vessels often went up the river in ballast, and when about to load discharged the ballast into the stream, and created shallows over which it was impossible for boats to pass. Then, again, persons who had property along the line of the river were in the habit of putting out jetties, which had the effect of stopping the navigation of the river. This Bill was framed for the purpose of placing the river under the control of the County Council, so that this sort of thing should be put a stop to. There was a provision in the Bill for conferring as an endowment upon the County Council a piece of land containing 3,981 acres. This piece of land, which adjoined the river, was of a low-lying character, and worth very little: in fact, he believed it was purchased from the Natives for a sum of £560. However, if the Council wished to take the endowment clause out, he would not object to their doing so, in order to save the other part of the Bill, to which no objection could possibly be taken.

The Hon. Captain FRASER certainly would object to the endowment clause. He would like to know whether the County Council approved of the course proposed being taken.

The Hon. Mr. G. R. JOHNSON said there was no other local body in the neighbourhood. He believed that at least one County Councillor lived near the spot which it was proposed to place under the control of the county.

The Hon. Mr. MANTELL thought that if the 4th, 5th, and 6th clauses, and the schedule were struck out there could be no objection to the Bill.

Bill read a second time.

#### STRATH TAIERI RAILWAY BILL.

The Hon. Mr. HALL, in moving the second reading of this Bill, said that, with the Canter-

bury Railways Land Reservation Bill, and the Hutt, Waikanae, and Palmerston North Railway Bill, it was referred to a Committee. The Bills as sent to that Committee were differently constructed. The subject had been very fully gone into by the Committee, whose report, with the evidence, had been placed in the hands of honorable members. He would, perhaps, best consult the convenience of the Council if he read some extracts from the report of the Committee, which would place clearly before honorable members the manner in which it was suggested that these Bills should be treated. The Committee came to the following resolutions:—

"1. That the railway lines specified in the Strath Taieri and Clyde Railway Bill, the Canterbury Railways Land Reservation Bill, and the Hutt, Waikanae, and Palmerston North Railway Bill are desirable public works, which would greatly promote the settlement of the country and the development of its resources.

"2. That the Committee approve of the principle of reserving Crown lands for the construction of the above lines of railway, provided that the reservations made shall in each case be of an extent and character sufficient to insure that no charge for the construction of the lines shall ultimately fall on the ordinary revenue of the colony.

"3. That the reserves should be selected by the Government, so far as practicable, from lands either adjacent to, or likely to be benefited by, the railways to be constructed.

"4. That, with the view of securing to the public the benefit of the increased value to be given to these reserves by the construction of the proposed lines of railway, such reserves should be disposed of at such times and on such terms as may be specially determined in that behalf.

"5. That the Government should construct the several proposed railways out of the proceeds of the reserves to be made for each line respectively; but that, with a view of expediting such construction, the Government should be authorized to raise money upon the special security of such reserves, to be repaid out of the proceeds thereof when sold, the rents thereof being, in the meantime, appropriated towards payment of interest on such loans.

"6. That Government should, during the recess, cause detailed surveys of the proposed lines to be made, and plans and estimates of cost prepared. That such surveys, plans, and estimates should be laid before Parliament; but that the work of construction should not be commenced until the authority of Parliament has been obtained."

Therefore, practically, all that would be authorized by these Bills would be that detailed surveys should be made, and plans and estimates prepared to lay before Parliament next session; that the land should be reserved, but not dealt with; and that the works should not be commenced until Parliament had given its authority. He sincerely trusted—and he thought he was expressing the views of the great majority of the Committee—that this arrangement would disarm the opposition which had been expressed to these Bills. He went so fully into the necessities of the

*Hon. Mr. Hall*

case on a former occasion that he would only be trifling with the time of the Council if he pressed the subject again. He had explained to the Council the manner in which these Bills were proposed to be modified, and he trusted that that explanation would induce the Council to pass them. The subject referred to the Committee also included the question of how these proposed reserves would affect the revenue of the colony in the future. The report went fully into that matter, but he would only quote the concluding portion of it, which, he thought, would convey to honorable members an idea of the conclusion arrived at by the Committee. Paragraph 17 said,—

"That, having regard to the return of estimated value of the remaining unsold Crown land in the Provincial Districts of Canterbury, Otago, and Wellington, it appears that to make the reserves for the proposed railways would result thus:—In Canterbury there is no reason to doubt that land of ample value would remain unsold, and that, whether the reserves are made or not, the ordinary current sales would be sufficient to meet all charges for many years to come. That in Otago the making of the reserves proposed would, if taken together with the other reserves for the inchoate proposals already alluded to, practically exhaust all the remaining agricultural land in the Otago portion of the provincial district. That in Wellington the making of the reserve proposed would nearly exhaust the territory on the West Coast now available over which the Native title is actually or nearly extinguished."

He did not think he could throw more light on the subject than this report did, and therefore he begged to move the second reading of the Bill.

The Hon. Mr. ROBINSON hoped the Council would not agree to the proposal of his honorable friend. The honorable gentleman seemed surprised, but he did not think that surprise was genuine. He did not think the honorable gentleman ever imagined for a moment that these Bills would pass through the Council unchallenged. They were brought down at a very late period of the session, and the Council was asked to reserve large quantities of land the proceeds of which, in a law they had already passed, had been brought into the Consolidated Fund. As he had said on a previous occasion, taking the Land Fund into the colonial chest and then dealing with it in the way in which they were now doing was neither more nor less than a sham. They published a report; they showed their revenue, in which they included the Land Fund, as amounting to so much; and in the meantime, before this came into operation, they set large quantities of land on one side as reserves for railway purposes. They were asked to reserve these large tracts of land to build railways in different parts of the country, and he did not think there was an honorable gentleman in the Council, except, perhaps, the honorable member who had moved the second reading of this Bill, who knew where these railways were to be. Before they were called upon to set aside large blocks of land for

the purpose of constructing railways they should have more information. It really amounted to taking money out of the public funds, or to the borrowing of money, for whatever they took out of the public estate would have to be made good out of loan. A Bill would be brought down before the end of the session for another loan which was absolutely necessary. They were going on with public works to meet the cost of which they expected to have a large revenue from the Land Fund, and now they were told that the source of that revenue was to be taken to make certain railways in districts with which honorable members were totally unacquainted. There was a Bill coming on presently which reserved 350,000 acres of land for making a railway not very far from where he lived, and he did not know anything about it, although he knew as much about the country through which the proposed railway was to go as most honorable gentlemen in the Council. They had Bills brought down to them almost on the last day of the session, and were expected to pass them without making themselves acquainted with their provisions. Would it not be better to let this measure stand over? They were told that during the recess surveys and plans of these railways would be made. Well, it seemed to him to be putting the cart before the horse to make these reserves first. Would it not be better to have the plans and surveys laid on the table of the Council before setting aside the land, so that honorable members might be able to judge whether it was necessary or advisable to construct these railways? That was the first thing to be done—let them see what was going to be done with the money. It was all very well to say, "Take this land over; the making of these railways is to be no burden on the revenue of the country;" but, whatever they paid for these lines—whether £50,000, £100,000, or £700,000, as was proposed in one instance—it was so much taken out of the Consolidated Fund. He did not care how it was put, it was impossible to make £2 into £4. If they took an acre of land which was valued at £3 and gave it to a railway they would be minus that £3 from the consolidated revenue. But they were asked to pass this Bill without having any knowledge of the case or any data to go upon. The country through which these railways were to pass was not properly described. They did not know what interests they would serve, nor whether they would be profitable or not when constructed. But there was one obstacle which he could not get over, and which would prevent him from voting for these Bills, and that was, that there was nothing on the table of the Council to make them acquainted with the nature of these works. They were told that the information would be obtained during the recess. Then let them wait until next session, when they would have all the plans before them and be able to ascertain whether or not the railways were desirable. For those reasons, he would propose, That the Bill be read a second time that day three months.

The Hon. Mr. HART, as one of the members of the Committee, could perhaps enlighten the honorable member as to the necessity for passing

these Bills at the present time. The Bills did not profess to take, nor did they absolutely take, any land whatever. They simply anticipated. They only authorized the Government to reserve the land from sale until next session of Parliament, and they did that because, if these railways were determined to be made, buyers would, in anticipation, go to the market and purchase the land the value of which would be subsequently enhanced by the construction of the railway. The necessity for passing these Bills was this: The Bills would authorize the Government to proclaim these lines, to survey them, and to withhold the land proposed to be reserved from sale for the next seven months, until Parliament, having got the surveys and estimates made and the lines laid out, would determine whether or not the railways should be constructed. It was proposed to reserve the lands from sale in the meantime, because if they were offered for present sale they would not realize one-third of the money they would bring when the railways were made. If they had land for sale which would not at present realize 10s. an acre, and if by constructing a railway they were certain it would realize from 35s. to 40s., surely that was a consideration which should induce them to reserve the land from sale in the meantime, until, at all events, they had got the estimates and plans, and the line of the railway determined upon. In the event of Parliament, when the matter was brought before it, determining that the works should not proceed, the land could be released from its restraint and sold in the ordinary course. It was clearly proved, and appeared in the evidence, that if a railway were constructed much of this land could sell for from three to four times what it would fetch at the present time: in fact, it was asserted that some of the land was practically unsaleable at present from want of this communication. These Bills were merely preliminary Acts to keep the land in hand until the surveys were made, and it was left to Parliament to determine next session whether they would go on, and whether the land should be withheld from ordinary sale until the works were completed. They were preliminary and experimental Bills: the whole effect of them, if passed, would be to reserve the land from sale for seven months. If in the first week of the next session it should be determined not to proceed with the railways, that which had been done would be thrown on one side. There would be no interference whatever with the Land Fund, excepting for the seven months, and then only in respect of land the larger portion of which was at present unsaleable, or saleable only at such prices as, in proportion to the prices it would fetch if the railways were made, would be as one to three or one to four.

The Hon. Mr. HOLMES said the last statement of the honorable gentleman clearly showed why it was desirable to take the course he advocated. He (Mr. Holmes) knew the country that would be traversed by the Strath Taieri Railway. It was nearly all in the hands of the Crown, and would be doubled or trebled in value by the construction of a railway. He imagined that the

sale of 400,000 acres when the railway was completed would produce as much more than would be at present obtained by the sale of the land as would make the railway, so that the colony would have the line for nothing, and the country would be opened up in addition. They all knew the effect of railway communication as regarded the advance in the value of land. It invariably doubled the value of land. In this case the great argument in favour of the line was that most of the land was in the hands of the Crown, and that the colony would get all the advantage that would be derived from its construction. If the land were put into the market now and sold, the purchaser would derive all the advantage in the event of a railway being constructed, and the colony would get a very low price for the land. This line traversed the central district of Otago. The district was separated from the coast by the Kakanui range of mountains, averaging 4,000 feet in height. It was separated from the Southland District by another high range. There were, nevertheless, several extensive plateaux and large areas of level land fit for agricultural purposes. It was desirable that this land should be utilized, and the only way of doing that and of getting an adequate price for it was by giving access by means of a railway. Roads would not meet the difficulty as regarded agriculture, because the carriage would be far too great a distance. He believed that in this case a railway could be made as cheaply as, if not cheaper than, roads, owing to the peculiar character of the country; and then the colony would derive a revenue from the railway. For those reasons he would vote for the second reading of the Bill. It merely reserved the land for a limited period, and did nothing more. The Parliament could of course, if necessary, afterwards withdraw the land from reservation.

The Hon. Mr. WILLIAMSON would support the amendment. The arguments used by the honorable gentleman who had spoken in favour of the Bill clearly proved that the value of land was greatly enhanced when railways ran through it. What superior claim had these districts over the rest of the colony, that their land should be reserved from sale until they had got railways? He could point to many districts in the North Island where the land would be greatly enhanced in value if they could only make railways through them. Therefore this proposal was unfair, and particularly unfair in the present circumstances of the colony. It had been found necessary to colonialize the Land Fund, and yet it was now proposed to reserve the most saleable portions of land in various parts of the colony. When the Public Works scheme was introduced a trunk line of railway was promised. Did they get it? No, they did not; nor would they have it until the different parts that were made were connected. These schemes which were now spoken of were not for portions of the trunk line, but were for branch lines. It was thought that the country would so grow in wealth in consequence of the benefits of the Public Works scheme that it would be in a position to make all the branch lines required to feed the trunk lines. It would certainly be an injustice to the rest of the colony if they took

such large blocks of land away as proposed for making local branch lines. He would support the amendment, because he felt that, if these Bills were to pass, injustice would be done to the rest of the colony.

The Hon. Captain FRASER said it was not intended to sell any of the land until the railway was finished, so that the Government would get the unearned increment instead of private individuals. They knew that the property of private individuals had been nearly doubled in value by the railways. The line between Clyde and Outram passed through Crown land, with the exception of 2,000 or 3,000 acres, and this railway would open up, he might say, a new colony. Of course, if he were in the position of some honorable gentlemen who were possessors of large properties, he might almost say principalities, he would consider it to be his duty to himself to defend his property and to prevent the land-tax encroaching upon it by all means in his power. He would even, perhaps, feel justified in keeping back the progress of the colony in an attempt to ward off that horrible enemy, a land-tax. Honorable gentlemen who were in that position were perfectly right in taking the course they did; but the Council would do a serious injury to the colony if it refused to carry out these works. It would be found that this railway, notwithstanding any opposition in the Council, would be carried out.

The Hon. Mr. J. JOHNSTON was not going to dispute the great value of the railway contemplated by the proposal contained in the Bill, but he did not think that was the question before the Council. If it were, he should expect to see in his seat the Colonial Secretary, who would tell the Council he was prepared, on the part of the Government, to carry out such a railway. The Hon. Mr. Hall said such a Bill as that would in no way affect their English creditors. Now, he begged leave to think it would materially affect them, and for this reason: By this and the other two Bills on the Order Paper, power was given to raise money to an amount of nearly a million and a half for the construction of the three lines of railway. This money was not to be raised by the Government on the credit of the colony as in the past, but land to the extent of about a million and a half acres was to be reserved from sale and specially set apart as security for the redemption of the debt. It was this offering of security that would alarm the English creditor. It had been said, and he thought properly, that a bank did not determine the credit of its client, but merely recorded it. It appeared to him that, without being called upon by their bankers or by their creditors to determine their credit—for up to the present moment he believed it stood very high—they of their own motion were proceeding to record that in their own estimation their credit was no longer so high as it had hitherto been held to be. He hoped the Council would take this into consideration. He could conceive such a thing as this taking place: Jones meets Robinson and says to him, "Well, Robinson, some time ago you recommended me to invest in New Zealand securities, and I declined; but I have come across

*Hon. Mr. Holmes*

a good thing. I have been offered New Zealand securities at something like 7 per cent., and not only do I get that much higher rate of interest than would have been the case if I had taken the securities you suggested, but I get, over and above this, ample security. Now, my dear fellow, if anything happens to New Zealand your bonds will be worthless. You have got no security, but here am I in possession of ample and excellent security." Surely it could not be the intention of the Council to place the credit of New Zealand in any such position as that. He was quite willing to admit that these railways might be very desirable, and he recognized that, when they were constructed, the land, if sold, would recoup the cost of the railways in each case; but the matter ought to be taken into consideration by the Government, and, if they were of the same opinion as honorable members, then let them have the courage to say that such railways were required, and let them borrow the money and proceed to the execution of the work. He begged the Council not to authorize the borrowing of money in the manner that this Bill proposed.

The Hon. Mr. BUCKLEY thought the Hon. Mr. Johnston had hardly put this matter fairly before the Council. He understood the honorable gentleman to say that this was quite a new thing. It would be in the recollection of honorable members that when the Immigration and Public Works policy of 1870 was announced the whole principle of that policy was that the land should be set apart for the payment of the railways; and it was set apart year after year for that purpose. Reserves were set aside from time to time in the different provinces until they all gradually melted away. Why did they? Because the provinces took them, and the Government of the day was not strong enough to hold them. That was where Sir Julius Vogel departed from his great scheme of immigration and public works, and for which departure he had been blamed, and it was that which had brought the finances of the colony into their present position. He had no hesitation in saying that if that scheme of Sir Julius Vogel's had not been backed up by this principle of the reservation of land it would not have passed the Council. Then the honorable member spoke with regard to this proposal injuring the credit of the colony at Home. Well, he was inclined to take the opposite view, and thought it would be taken advantage of to make our credit much better than it was at present. The argument in favour of taking the land for the purpose of making the railway was, that the proposed work would give a high value to the land. The advances made on the security of these reserves would be merely temporary, because the land would be disposed of as the railway progressed. For instance, when thirty or forty miles of railway were opened the land would be sold along the line and the proceeds would go to the credit of the advances. He did not see that it was necessary to have any debentures at all. Debentures would not appear in the London market; and the whole arrangement might be made in the colony. So far from any injury being done to the credit of the colony, he thought it would be greatly improved if it could

be shown in London that a certain amount of land had been reserved with the proceeds of which they were to construct over three hundred miles of railway. That extent of railway would be looked upon by the creditor at Home as worth a great deal, and would tend to improve our credit.

The Hon. Mr. CHAMBERLIN looked upon this as an impudent attempt to secure two millions of the property of the colony for the benefit of one particular district. It was proposed to take 400,000 acres of land for making the Strath Taieri Railway. He saw by the report that these reserves were not estimated to produce more than £496,000 under favourable circumstances and when the line was constructed; yet the Hon. Mr. Hall said that the increased value of the land would actually pay for the construction of the railway. How did the two statements tally? The report said that the proposed reserves would be an inadequate security, and that it would be necessary to extend the proposed reserves by 100,000 acres. It was stated that the land would be worth £3 or £4 per acre; so that, if it would take 500,000 acres to make the line, that would give an expenditure of £2,000,000 for 109 miles of railways, which would be about £20,000 a mile. He would certainly vote for the amendment.

The Hon. Mr. LAHMANN did not call this an impudent scheme, but he thought it was a very ingenious scheme, and he was sorry it had not been brought into operation in the colony before now. If it was true, as stated in the report, that the land would bring a so much higher price after the railway was finished as would cover the cost of the railway, he thought it was only expedient on the part of the Council to promote such works. As stated by the Hon. Mr. Buckley, the original plan of the promoter of the Public Works scheme was founded on the same idea as was contained in this proposal, but by the force of circumstances it had to be abandoned. As they were only asked at present to sanction a sufficient expenditure to pay for the survey and the preparation of plans for the work, he would be prepared to vote for the second reading of the Bill. All further steps would have to be taken by Parliament next year.

Question put, "That the word 'now,' proposed to be omitted, stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	11
					—
Majority for	...	...	...	...	5
					—

#### AYES.

Mr. Acland,	Mr. G. R. Johnson,
Sir F. Dillon Bill,	Mr. Lahmann,
Colonel Brett,	Mr. Miller,
Mr. Buckley,	Mr. Peacock,
Captain Fraser,	Mr. Peter,
Mr. Hall,	Mr. Pharasyn,
Mr. Hart,	Colonel Whitmore,
Mr. Holmes,	Mr. Wigley.



## NOES.

Captain Baillie,  
Mr. Chamberlin,  
Mr. Edwards,  
Mr. J. Johnston,  
Lieut.-Colonel Kenny,  
Mr. Mantell,

Major Richmond, C.B.,  
Mr. Robinson,  
Mr. Russell,  
Mr. Wilson,  
Mr. Williamson.

The amendment was consequently negatived, and the Bill was read a second time.

## CANTERBURY RAILWAY LANDS BILL.

The Hon. Mr. HALL, in moving the second reading of this Bill, said it was so nearly a parallel case with the Bill just read a second time that he need not detain the Council by explaining it at length. The members of the Committee who went into the merits of the case were satisfied that the various branch lines proposed would be remunerative, and he trusted honorable members would deal with this Bill as they had with the last one.

The Hon. Mr. ROBINSON would adopt the same course with regard to this Bill as he had towards the last one, though he might remark that this Bill was not the same as the last one. It was strongly urged in favour of the last Bill that the land would be so much increased in value that it would more than pay for the railway. Even admitting that to be the case, he still contended that they should not set aside those lands. It was not a question of increasing the value of the land. The question before the Council was, How were funds to be provided for making those railways? As it had been very forcibly put by the Hon. Mr. Johnston, the Government were the people who should initiate matters of such importance as these. If it was believed that those railways would increase the value of the land in the way suggested, why should not the Government make them? To make them in the way proposed was really dishonest to the people who had previously invested in New Zealand securities. What would those people think who paid a high price for New Zealand securities when they heard that the colony was asking people to lend more money on the same security? By this Bill it was proposed to have half a dozen waste land laws all over the Province of Canterbury. They now had under consideration a uniform land law for the colony; and did honorable gentlemen think that for a comparatively small matter they should make fresh land laws to suit a case of this kind? They were merely speculative undertakings that they were about to enter into, and they would cost large sums of money. He maintained that they should be undertaken by some body, like the Government, responsible to Parliament. He hoped honorable gentlemen would reconsider this measure, and not allow themselves to drift into a course which would eventually land them in a state of financial confusion. The Hon. Captain Fraser said that the farmers of the country were anxious to have their property improved by railways, and to escape taxation. He could tell the honorable gentleman that the farmers were quite as willing to bear taxation as any class of the community. The honorable gentleman made an

*Hon. Mr. Lahmann*

other remark, which, no doubt, was quite true, to the effect that if he was in their position he would do just the same. Some people were too apt to "measure other people's corn by their own bushel," and when the honorable gentleman deliberately told the Council that if his interest would be benefited by any measure he would advocate that measure passing, he thought honorable gentlemen would look back and wonder if the Strath Taieri Railway was likely to secure him any advantage. He hoped the honorable gentleman would excuse him, because the honorable gentleman distinctly told the Council that if a Bill were brought forward to make a railway which would enhance the value of his land he would support it. He trusted that honorable members would pause before they committed themselves to passing any measure reserving large quantities of land, which would be an act of dishonesty towards the outside creditor. He would ask the Council to support him on this occasion, and vote for the amendment he would now propose—namely, That the Bill be read a second time that day six months.

The Hon. Mr. WILLIAMSON had great pleasure in seconding the amendment. He would simply draw the attention of the Council to those three Bills—the Strath Taieri Railway Bill, the Canterbury Railways Bill, and the Hutt-Waikanae Railway Bill. These three measures came up together, and it was simply a case of "You support me and I will support you."

The Hon. Mr. HOLMES said the principal argument in support of the Strath Taieri Railway Bill was, that the land on both sides of the railway belonged to the Crown and would be greatly enhanced in value by the proposed work. If the railway were to run through private property he would not have voted for it. If the railways proposed to be constructed under this Bill passed through Crown lands he would vote in favour of the second reading; but if through land already sold, and which was private property, he thought he would not be justified in voting for the Bill.

The Hon. Captain FRASER begged to state to the Council that he did not possess a single acre of land from one end to the other of the Strath Taieri line. He might say that the Hon. Mr. Robinson had persistently opposed every endowment, and therefore should be regarded with great veneration as a great patriot of New Zealand. He was going to support the Bill, and he might inform the Hon. Mr. Williamson that no person in the Council or in the other House had ever asked him how he was going to vote.

The Hon. Dr. GRACE said it appeared to him that they were entering on a very dangerous course in a very precipitate manner. However, that was not a new view of the subject, and he would not detain the Council on that point. But there was another view he would like to bring before the Council: that was, that the method they were proposing to take to develop the resources of the colony was fundamentally wrong in this direction, at any rate, that they were proposing to absorb the whole of the Crown lands in certain districts for the purpose of constructing

the railways. The only result of that would be that there would be no Crown lands left for the construction of roads to approach those railways. Thus the colony would be saddled with long lines of railway without any feeding or connecting limbs, and which would consequently be unproductive works. But what he objected to more than anything else in these measures was the feverish haste with which they plunged year after year into each new development of the old enterprise. There was one proposition which the Council ought to accept—it was this: that, if they were to enter into large absorptions of the landed estate in this way, the necessity would be involved for further enormous expenditure to provide connecting links with those lines of railway. Whence could the money come from for this purpose? It could only come from the overloaded consolidated revenue of the colony. Therefore he argued that these efforts were premature and essentially unwise, and, taken in connection with the general condition of the country, might prove unproductive. These propositions were selfish, every one of them. He saw no wisdom in such selfishness. He could see no wisdom whatever in the State entering upon efforts of this kind. They ought to take a lesson from the experience of the neighbouring colonies. It had been laid down in New South Wales as an axiom that the revenue accruing from the land must go to the development of the land in detail. The mere fact of running a single line of railway through a large district was not effectively creating that settlement and encouraging that enterprise which was no doubt the object of honorable gentlemen in advocating these measures. If these objects were to be expedited at all by the Council they could only be expedited on this principle: that the land should be set aside as a guarantee for the construction of the line, but that the absolute construction of the line should be charged to loan. He submitted that there was nothing in their own experience or in the experience of the neighbouring colonies to show that the mere fact of constructing a line of railway through a country, in a thinly-peopled district, without the possibility of giving access to that railway necessarily increased the prosperity of the people. For his part, he would vote against all those railways. He would oppose the Bill because he did not think that their interests as colonists would be served by its adoption. If the principle advocated was a sound one it would lose nothing by further consideration. In every direction he thought they were hurrying too rapidly into the construction of public works. For his own part, he had not a single selfish feeling in regard to any district of the colony. If any particular district were rapidly and materially developed, the relief to the revenue would be so great that he would be satisfied. But he did not see the necessary cause and effect in these proposals. He did not see that they were so certain of this material development as a result of these railways. He did not believe in galvanizing districts into an unnatural activity—he felt that it was dangerous to do so; and he would respectfully ask the Council to pause before entering into

those enterprises, which were radically unsound in principle.

Debate adjourned.

### LAND BILL.

This Bill was further considered in Committee.

Clause 48.—Board may withdraw lands from sale, subject to reversal by Governor.

The Hon. Colonel WHITMORE moved, That all the words after the word "Board," in the first line of the last paragraph, be struck out, for the purpose of inserting the following: "Notice thereof shall be given to the original applicant or purchaser, if any, who shall thereupon be entitled to all his original rights."

Question put, "That the words proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	6
Noes	...	...	...	...	16
Majority against...					10

### AYES.

Mr. Buckley,  
Captain Fraser,  
Mr. Holmes,

Mr. J. Johnston,  
Mr. Lahmann,  
Mr. Wigley.

### NOES.

Mr. Acland,  
Captain Baillie,  
Sir F. Dillon Bell,  
Colonel Brett,  
Mr. Chamberlin,  
Mr. Edwards,  
Mr. Hall,  
Mr. Hart,

Mr. G. R. Johnson,  
Mr. Miller,  
Mr. Peter,  
Mr. Robinson,  
Mr. Russell,  
Colonel Whitmore,  
Mr. Williamson,  
Mr. Wilson.

The words were consequently struck out, and the amendment agreed to.

Clause 120.—Within Otago and Southland, leases terminating after July to be extended to following month.

The Hon. Mr. WILLIAMSON moved the addition of the following proviso: "Providing that every holder of a depasturing lease or license who shall comply with the provisions of this Act shall be entitled from thenceforth to hold his run to the month of March, one thousand eight hundred and ninety: Provided also that such holder shall agree, within one year from the passing of this Act, to waive all claim to compensation for the determination of any part of his run which may be required for settlement."

Question put, "That the words proposed to be added be so added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	6
Noes	...	...	...	...	12
Majority against...					6

### AYES.

Mr. Buckley,  
Mr. Chamberlin,  
Mr. Robinson,

Colonel Whitmore,  
Mr. Williamson,  
Mr. Wilson.

## NOES.

Mr. Acland,  
Captain Baillie,  
Sir F. Dillon Bell,  
Colonel Brett,  
Mr. Edwards,  
Captain Fraser,

Mr. Hall,  
Mr. Hart,  
Mr. G. R. Johnson,  
Mr. Lahmann,  
Mr. Peter,  
Mr. Wigley.

The motion was consequently negatived.

Clause 166.—Absolute reservations for roads revived.

The Hon. Sir F. DILLON BELL moved, That the clause be omitted.

Question put, "That the clause proposed to be omitted stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	9
Noes	...	...	...	...	12
Majority against ...					3

## AYES.

Captain Baillie,  
Mr. Chamberlin,  
Captain Fraser,  
Mr. Hart,  
Mr. Holmes,

Mr. Lahmann,  
Colonel Whitmore,  
Mr. Williamson,  
Mr. Wilson.

## NOES.

Mr. Acland,  
Sir F. Dillon Bell,  
Colonel Brett,  
Mr. Buckley,  
Mr. Edwards,  
Mr. Hall,

Mr. G. R. Johnson,  
Mr. Miller,  
Mr. Peter,  
Mr. Robinson,  
Mr. Russell,  
Mr. Wigley.

The amendment was consequently agreed to, and the clause struck out.

## NELSON AND WESTLAND COAL BILL.

A message was received from the House of Representatives stating that the House disagreed with the amendments of the Council in the 9th clause of this Bill.

The Hon. Colonel WHITMORE moved, That the Council doth not insist upon its amendments in the 9th clause of the Nelson and Westland Coal Bill.

Question put, "That the Council doth not insist upon its amendments;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	12
Noes	...	...	...	...	11
Majority for					1

## AYES.

Mr. Acland,  
Sir F. Dillon Bell,  
Colonel Brett,  
Mr. Chamberlin,  
Mr. Edwards,  
Dr. Grace,

Mr. Holmes,  
Major Richmond, C.B.,  
Mr. Robinson,  
Mr. Russell,  
Colonel Whitmore,  
Mr. Wilson.

## NOES.

Captain Baillie,  
Mr. Buckley,

Mr. Lahmann,  
Mr. Miller,

Hon. Mr. Williamson

Captain Fraser,  
Mr. Hall,  
Mr. Hart,  
Mr. G. R. Johnson,

Mr. Peter,  
Mr. Wigley,  
Mr. Williamson.

The motion was consequently agreed to.

The Council adjourned at twenty minutes past twelve o'clock a.m.

## HOUSE OF REPRESENTATIVES.

Wednesday, 5th December, 1877.

Second Reading—Third Readings—Meeting of Parliament—Railway Stores—Sir W. Jervois's Visit—Provincial Officers—Featherston and Masterton Railway—Public Revenues Bill No. 2—Consolidated Stock Bill—Westland and Nelson Coal Fields Bill—Loan Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

## PRAYERS.

## SECOND READING.

Lyttelton Harbour Works Compensation Bill.

## THIRD READINGS.

Middle Island Half-caste Crown Grants Bill,  
Rating Bill, Counties Bill.

## MEETING OF PARLIAMENT.

Mr. WOOLCOCK asked the Government, What time next year they purpose calling Parliament together? Any alteration in the time of meeting of Parliament, whether it were to be earlier or later, must necessarily have a great deal of influence in connection with the business arrangements of honorable members. He might say that it would have a good deal of effect in his own case; and if the Government had come to any determination in the matter he thought it would be very desirable that the House should be informed of it.

Sir G. GREY replied that it was necessary that the Government should hold in their own hands the power of calling Parliament together at any moment. It might, under certain circumstances, be expedient to call it together even a fortnight after it had been prorogued. He could not, therefore, give a distinct answer to the question; but he could give the general assurance that, as soon as the Government had fixed a time for the meeting of Parliament next year, intimation would be given to honorable gentlemen.

## RAILWAY STORES.

Mr. STEVENS asked the Minister for Public Works, Whether he will give effect to the recommendations of the Railway Management Committee with respect to the division of the schedules for tenders for railway stores? He put this question on the Paper because he believed that there was some danger of the old practice being adhered to of placing all the railway stores in one schedule for the purpose of tender. The Railway Management Committee had reported strongly against this practice, and therefore he put the question.

Mr. SHEEHAN understood from the department that tenders were being called for upon the old basis, the excuse being—and it was a very good one—that the department had not received a copy of the report until after calling for the tenders. He could not say off-hand that he would give effect to the report, but if possible he would do so.

#### SIR W. JERVOIS'S VISIT.

Mr. FITZROY asked the Government, What is the nature of the important business that the s.s. "Hinemoa" will be required for during the month of January next, as stated in a memorandum from Ministers to His Excellency the Governor relative to the proposed visit of Sir William Jervois to this colony? He was induced to put that question on the Order Paper owing to the extraordinary course adopted by Ministers in reference to placing the services of the "Hinemoa" at the disposal of Sir William Jervois. He concluded that the reason why Ministers had refused to place the "Hinemoa" at that gentleman's disposal, notwithstanding the arrangement entered into by the late Government with regard to his services, was that the steamer had some important work to do. He therefore thought it was desirable that the House should know what that work was.

Sir G. GREY replied that Ministers were the proper judges of the importance of the work in which they intended to employ this vessel. There was no undertaking that he was aware of between the late Government and Sir William Jervois with regard to placing that steamer at his disposal. It was impossible beforehand to state the important services in detail on which the steamer would be employed; but it would be quite consistent next year for the honorable gentleman to move for a copy of the log of the "Hinemoa" for January, when it would be furnished.

#### PROVINCIAL OFFICERS.

Mr. O'RORKE asked the Government, Whether the return, promised on the 14th August, 1877, of the names of Provincial Government officers who lost their appointments in consequence of the Abolition Act will be laid before this House during the present session?

Sir G. GREY said his answer was, that he had great pleasure in now laying the papers on the table.

#### FEATHERSTON AND MASTERTON RAILWAY.

Mr. BEETHAM asked the Government, If they have definitely decided upon the route by which it is intended to carry the line of railway from Featherston to Masterton, and when tenders will be called for the construction of the same?

Mr. SHEEHAN replied that the Government had come to the conclusion to take the line lately set out, as the honorable gentleman was no doubt aware, and tenders for the work would be called for in about a month from the present time.

#### PUBLIC REVENUES BILL No. 2.

Sir G. GREY, in moving the second reading of this Bill, said he would not take up the time of the House by making many observations regarding it. The sole object of the Bill was to afford a means of simplifying the public accounts. The various clauses of the Bill fully set out how the simplification was to take place. When the Bill was in Committee he would move that a new clause be added, to provide that, in the event of any vacancy occurring in the Auditors' Department, the gentleman who might be appointed to fill the vacancy should only hold office temporarily, because the Government believed that when they began to make the reductions which they contemplated in the service the services of one of the Auditors could be dispensed with. With those remarks, he would move, That the Bill be now read a second time.

Major ATKINSON was afraid that the Bill would not effect the object which the honorable gentleman had in view. He thought that two or three important points had been overlooked, and he would call the attention of the honorable gentleman to them. He was glad to hear the Premier say that the Government intended to do with one Commissioner of Audit, and he might say that it was also the intention of the late Government not to have appointed a second Auditor in the event of a vacancy occurring. It was probably within the knowledge of honorable members that for some time past Dr. Knight had been desirous of retiring on his pension; but a technical difficulty had arisen in regard to the payment of that pension, and he did not think fit to retire until that question was settled. The reason why the late Government did not intend to appoint a gentleman to fill any vacancy that might occur was, that they believed the work could be better done by one Commissioner and a Deputy than by two Commissioners. He was therefore glad to hear that the Government agreed with their predecessors on that point. He would like to see power taken to pension off Dr. Knight at once, because that gentleman's services could be dispensed with. Unless some steps were taken to enable Dr. Knight to retire on his pension, the result would be that he would continue to hold office at full pay. The original Public Revenues Act was passed in 1867, and since then there had been no fewer than eight amending Acts passed, and therefore it was very difficult to understand how the law on the subject really stood. He was sorry that the Government would not go on with the Bill which he had prepared in reference to the public revenues, because he thought that Bill would have dealt satisfactorily with the matter, and got rid of the innumerable laws which now existed, and all of which amended each other. In the first place, he might point out that under the Bill before them, as he read it, the unauthorized expenditure would be extended from £100,000 to £300,000. He could hardly think that that was intended. It was brought about in this way: By the Act of last session they repealed the 14th section of the Act of 1872. Now, the Act of 1872 authorized the expenditure of as much money unauthorized as deficiency

bills were allowed to be issued. Last year they repealed that section, and limited the unauthorized expenditure to £100,000, while they increased the deficiency bills to £300,000. The Act of last session being only a temporary measure, expiring at the end of this session, the clauses repealed by it revived. Had the clauses been repealed by a permanent Act they would not have revived; but having been only temporarily suspended they necessarily revived when the Act expired. Therefore he thought the honorable gentleman would find that the power of unauthorized expenditure under this Bill would be extended to £300,000, the proposed amount of deficiency bills. He could not believe that the Government desired that power; it might be the intention of the Government, but he could hardly think so. If he was wrong in his statement as to the clauses which they had repealed reviving, then, on the other hand, under this Bill the honorable gentleman would have no power to issue unauthorized expenditure at all, the whole power being given by the Act of last session, which expired on the last day of this session, so that then the whole power ceased, and he ventured to say that a great difficulty might follow if that was to take place. No doubt it would give Parliament much fuller control over the Government of the day; but, speaking from some knowledge of the public service, he did not think it would be a safe thing for the House to leave the Government without any margin for expenditure at all. He would also point out that the Act of last session necessarily extended the power of issuing deficiency bills from £100,000 to £300,000. No doubt directly this House rose that Act would expire, and therefore they would fall back upon the authority of former Acts, which only permitted the Government to issue £100,000 unauthorized expenditure. The power to borrow £300,000 from the Public Works Loan would also expire. This measure, if passed, would not come into operation until the 1st day of January next, so that directly Parliament was prorogued, at the end of this week, the Government would be called upon by the Commissioners of Audit to immediately refund to the Consolidated Fund the £300,000 which had been borrowed from the Public Works Fund, and they would have no power, as he understood it, of issuing any deficiency bills, except, possibly, to the extent of £100,000, to make up that deficiency. The result would be that all issue of public money must absolutely cease until the Act came into force. And that was not all, because they would have to make a new arrangement for which no provision was made to obtain this £100,000—they would have to make further provision for obtaining the £200,000 or £300,000 which this Bill would give when it came into operation. Under this Bill the power to borrow from the Public Works Account altogether ceased. That was no doubt a question worthy of consideration. It was thought out by the late Government, and they came to the conclusion that, as for some years they would have a balance in the Public Works Account, it was better to borrow from

*Major Atkinson*

the Public Works Account, for which they only got 3 per cent. interest, rather than borrow on deficiency bills and pay 5 per cent. interest. That was a matter which might fairly be argued out in the House. He submitted that if it was the intention of the honorable gentleman to deprive himself of the power of absolutely using his own money the House should be told so, when he (Major Atkinson) would have a word to say on the subject. He had not had time to compare all the Acts carefully, but he thought the honorable gentleman would find that there was something in the points to which he had called attention. He trusted that the honorable gentleman would look into the matter, and see whether the Bill, if passed in its present form, would not actually cause all issues to stop from the Consolidated Fund, by necessitating the refunding immediately to the Public Works Account the £300,000 now borrowed; and whether it would not give authority for unauthorized expenditure to the extent of £300,000.

Sir G. GREY would like to say a few words in reply to the speech of the honorable member. He had simply to say that, should this Bill go into Committee, he would then insert provisions dealing with some of the points raised by the honorable gentleman. The Bill had been prepared with very great care; it was very simple, and would prove a very efficient measure. He did not agree with the honorable member with regard to some of the points raised. He did not agree with borrowing money from one public account and paying it into another if it could be avoided, and he believed the accounts would be placed in such a state as to enable the Government to avoid doing so. He was perfectly satisfied that all the funds that could be raised had been exhausted. He would not, therefore, propose to take any power to borrow from the Public Works Fund. He thought it was a dangerous power to exercise. He believed the system of borrowing from one fund and paying the money into another tended to complicate the accounts to such an extent as to make it almost impossible to understand them. The honorable gentleman stated that the Acts relating to the revenue were incomprehensible—that there were so many Acts it was almost impossible to understand them. He (Sir G. Grey) fully assented to this, and believed this Bill would simplify the whole matter, and to his mind it was a much better Bill than that proposed by the honorable gentleman himself. The responsibility for the measure rested on the Government, and they thought this Bill the better of the two. They should be allowed to proceed with their own measure, and not be obliged to adopt that of other persons. They were told by the honorable gentleman that they had not authority now to borrow money enough—that, in fact, they had not the power to incur any unauthorized expenditure, which meant, the power to borrow £300,000. He imagined that the power taken by the 10th section of this Act would be sufficient power to raise £300,000 from time to time. He thought the money should be borrowed in such a way that the Government must shortly repay it. That was the object he had in view.

Nothing could be more dangerous than to give the Government the power to borrow a large sum of £300,000 or £400,000, and not oblige them to pay back the amount at all, but to add it to the funded debt. The object of this Bill was to introduce something like finality into the accounts—to take care that the borrowing should be limited and kept in check by paying the money borrowed at some fixed date. He would commend that principle to the House as one which they should require the Government of the country to act upon. Knowing the experience that the honorable gentleman had had in these matters, he would make inquiries into the points raised by him, and would be prepared, when the Bill was in Committee, to explain what he would do as to those points. He trusted the House would allow the Bill to be read a second time.

Bill read a second time.

On the motion, That the Bill be ordered to be considered presently,

Major ATKINSON said if he had thought the honorable gentleman would have received his remarks in an antagonistic spirit he would have made a different speech. He was anxious to point out what appeared to him to be grave defects in the Bill, and what appeared to him would lead to very considerable public inconvenience. He did not ask the honorable gentleman to look into the points he had raised as a favour to him (Major Atkinson). If the Bill had been prepared with great care, and if he (Major Atkinson) was satisfied that it would not increase the unauthorized expenditure to £300,000, and that it would simplify the accounts, he would recommend him to have it passed as it stood; and they would see in the course of a month how well it had succeeded in doing what the honorable gentleman intended to be done.

Motion agreed to, and Bill considered in Committee.

#### CONSOLIDATED STOCK BILL.

Sir G. GREY, in moving the second reading of this Bill, said it had been introduced to the notice of Parliament by the late Government, and that a long correspondence had taken place on the subject. The mode in which the measure would simplify transactions in the various stocks held by persons who had lent money to New Zealand was fully explained in that correspondence. It was his desire that the House should consider the Bill, and, if the general opinion was that it was an advantageous measure, as many persons believed to be the case, that it should be passed. There appeared to be less reason for any objection to that course from the fact that there was no necessity whatever imposed on the Government to bring the measure into immediate operation.

Major ATKINSON had only to say that it was a matter of great satisfaction to him that the honorable gentleman had at last been able to see the great value of this Bill, after the very violent attack which the honorable gentleman had made upon him when he first proposed it—calling it one of the most impudent proposals he had ever heard submitted to any Legislature. It was

all the greater satisfaction to him that it should have fallen to the lot of the honorable gentleman himself to submit the measure to Parliament and ask that it should be passed. Being perfectly well acquainted with its provisions, it did not require many arguments to convince him of the importance of the Bill. All honorable members who had taken any interest in the matter had no doubt perused the correspondence in relation to it, and would be in possession of all the necessary facts on which to base an opinion as to whether it would be a great public advantage or not. He felt that he would not be doing his duty if he did not express the very strong feeling he entertained of the obligations he owed to Sir Julius Vogel and which the House owed to Sir Julius Vogel for his untiring efforts to obtain such legislation from the Imperial Parliament as would render this Bill of any real effect. He had no doubt that a very large saving would be effected by the conversion and consolidation of New Zealand stock, and that in a few years the colony would be able to save the whole of the expenditure which was taking place, and which was yearly increasing, upon the Sinking Fund. That expenditure now amounted to £180,000 a year, and that was one of the sums on which he had calculated to equalize the accounts of the colony in future years. It seemed to him that it was not a wise plan to continue to pay a Sinking Fund while the colony was still borrowing, as of necessity it would have to do for some time longer, until the whole of the railways were completed. There could be no advantage to the colony in borrowing at 5 per cent. and setting aside a Sinking Fund which returned perhaps 4 per cent. The theory of a Sinking Fund was now pretty well exploded, although he must say for himself that he had a sneaking liking for a Sinking Fund. There was a great satisfaction in feeling that the people who were borrowing money and spending it were trying to pay it off. The effect of doing so was to induce prudence and make people feel that the money they borrowed had to be repaid. One great danger which existed in borrowing large sums of money without making provision for its repayment lay in the fact that what was easily got easily went. But, looking at the whole situation, he thought it was exceedingly desirable that this Bill should be passed, and that as soon as possible the stock of the colony should be inscribed under it, because it would raise the value of the stock, as large amounts of trust money would be invested in it which at present could not be so invested from the fear of losing the bonds which were made payable to bearer. He congratulated the honorable member at the head of the Government on at last accepting this Bill, which was the only remnant of the policy of the late Government that the present Ministry had not accepted and given effect to.

Mr. REES thought that the honorable member for Egmont might himself be congratulated on having taken from the other side of the House the idea of doing away with the Sinking Fund. When the honorable gentleman was Colonial Treasurer he (Mr. Rees) made a proposition to

that effect, and the honorable gentleman laughed at him, and said it was the most preposterous proposal he ever heard. That would be found in *Hansard*.

Major ATKINSON begged to explain that what he laughed at was the proposition which the honorable gentleman made, that the House should of its own motion do away with the Sinking Fund, as if it was possible for the House to do so. That was what he laughed at, and he told the honorable gentleman that it must rest with the public creditor. The whole object of this Bill had been under consideration for years. He did not claim the initiation of the idea for himself, nor could he allow it to the honorable member.

Mr. REES said the honorable gentleman laughed when it was suggested that the Sinking Fund could be done away with. As for the House having power to deal with its public revenue, he apprehended that it had absolute power in that respect. The mere fact of doing away with the Sinking Fund by Act of the Assembly would, in his opinion, not lower but increase the value of the bonds, for he found that the quotations of stock where there was no Sinking Fund were higher than those of stock having a Sinking Fund. However, on the general question he might say that the present Government, or any other Government, would be glad to pass anything which, although they themselves might think it was of no great value, a large section of the House considered would be very advantageous, and that was exactly what the honorable member at the head of the Government had done.

Mr. BOWEN said the honorable member for Auckland City East still spoke of a Sinking Fund as a thing that could be done away with by the Legislature of New Zealand by the mere passing of an Act. If that were done it would very soon be found that the colony's credit would go down so low that it would never be able to borrow any more. What the Legislature can do is to pass an Act to issue stock on such terms as will induce the public creditor to come in under it. That was a very different thing from abolishing the Sinking Fund.

Mr. REES had not meant that the Legislature should pass an Act abolishing the Sinking Fund, but that it should take steps to get rid of it, whatever those steps might be.

Mr. BOWEN.—The honorable gentleman said the honorable member for Egmont laughed at his suggestion, but if the honorable gentleman would look back to the report of what took place he would find that his suggestion was in effect that the Legislature should pass an Act to abolish the Sinking Fund. At the very time that suggestion was made steps were being taken in England which had resulted in enabling the Government to make a proposal for consolidating its stock in a manner satisfactory to the public creditor. This Consolidated Stock Bill would not only enable the creditor to come in with advantage and take up new stock, but it would also enable trustees to take up New Zealand stock. It would have a most beneficial effect on the credit of the colony in the Home market.

*Mr. Rees*

Mr. ROLLESTON was sorry that a measure of such importance should have come on at so late a period of the session. There was evidently a great difference of opinion upon this question among those who were understood to represent the financial ability of the House. To his mind the Bill was one about which very considerable difficulties arose. An operation of this kind, following as it did upon the operation that took place in 1867, would be very closely inquired into at Home, and he would wish to have had some clearer explanation of the Bill than had yet been given. The Consolidation Act of 1867 was passed distinctly for the purposes of consolidating the colony's stock and making a funded stock. The present Bill came down, after considerable correspondence on the subject, for the purpose of inscribing the stock, giving departmental facilities for the transfer of it, and enabling trustees to invest in it, thereby holding out inducements for the purchase of the stock. All that, as he understood it, was a matter quite distinct from the consolidation of stock; and he thought there had not been that distinctness in the description of the Bill which would enable an ordinary mind not accustomed to financial operations to clearly understand its purport. It seemed to him that any consolidating measure would be closely scrutinized at Home. People who held our bonds would say, "What is the meaning of this? Why is this measure brought down now? We had a consolidation measure some time ago which purported to create one denomination of stock, and which put out a prospectus that almost promised that in future all stock would be of one denomination." He wished, also, to call attention to the fact that this was no new proposal of Sir Julius Vogel's, but was brought forward by Sir William Fitzherbert when he was at Home in 1867, and was only set aside then on account of some legal and technical difficulties, dependent upon an omission in the law of New Zealand, which, the lawyers advised, made it unwise then to press the question of registration, which was the same as inscription at that time. The bondholders, as it seemed to him, were to be asked to bring in their bonds under this measure and convert them into a stock which would not bear a sinking fund; and they hoped by that means to be able to deal with a large amount of released Sinking Fund. If he were a bondholder the first questions he would ask, if a proposal of this kind were put before him, would be these: "What are the advantages of coming under this reversion scheme? Why is this proposal brought about now? Is it the result of a general proposal which will increase the value of New Zealand stock? Does it bear on the face of it satisfactory evidence that my position will be improved? Is it determined, as I believe it has been determined in the American States, that there shall for the future be only one kind of stock—that there shall not be bonds for harbours and bonds for all other public works throughout New Zealand? Is it determined that the colony shall be the sole borrower in future, as it was determined in 1867, and is there to be a prudent system of finance that will

give good security to the bonds? Otherwise, why should I give up the power I have of demanding annually that so much money shall be set aside to meet my bonds when they fall due?" He was afraid that this proposal was not brought down as part of any great scheme, and certainly it was brought down at the fag-end of the session. As the Premier explained, it was not part of the policy of the Government at all. It was, as the honorable gentleman had put it, immaterial whether the Bill was passed or not. For his part, he was not averse to a consolidation measure. There was no doubt that a consolidation measure would be of very considerable value in the future, but it ought to be part of a more complete system than was now presented to them. He held that they had been acting most foolishly in the past. Since 1867 they had been creating new denominations of stock, although it was determined in that year that no new stock should be created; and they were now going in for a number of small borrowings which would create confusion in the minds of people at Home. In passing a consolidation measure they ought to determine that the State should be the borrower for all the smaller bodies, as in the case of the Board of Works Commissioners at Home. There would be a reason in that which would at once commend a consolidation measure to the minds of the bondholders; but this scheme was brought down as a means of enabling them to get hold of funds, because, as the Colonial Treasurer told them, "We are very hard up for cash," and this was the only way of getting it. It was not creditable to enter upon such a scheme with such an object. If they neglected to devise means to provide money until the moment it was required the negotiations must necessarily be of a hurried character, and must therefore be conducted in a manner which would not be advantageous to the colony. It had taken some years to bring a complete consolidation scheme into operation in America, and the essence of their proposals was that the persons who made them should be in no hurry to obtain the money, and it must be shown that it was to the interest of the bondholder that the transaction should take place, otherwise he would be in no hurry to come in at all.

Mr. MONTGOMERY.—He will take care of that.

Mr. ROLLESTON was not at all satisfied with the measure, because they were not now in a position to go to the bondowner and disclose a picture which would give confidence to the Home money-lender. He was not aware of the extent of the borrowing they were proposing. Perhaps the honorable gentleman at the head of the Government would inform him.

Mr. STOUT.—Wait till the Bill comes down.

Mr. ROLLESTON appealed to the Premier for information, and not to the honorable member for Dunedin City. The Premier had stated that the Bill was in preparation, and there was no reason why he should not state the amount which it was intended to borrow.

Sir G. GREY.—There is a difficulty in stating the amount, because taking the power is one thing and what you propose to borrow is another.

Mr. ROLLESTON said they were going into the Home market to borrow fresh loans, and no doubt their operations would be narrowly scanned. The proposal to borrow would or would not be viewed with favour just as the people at Home viewed the financial proposals of the Government. And how did they stand at the present time? They had gone in for revolutionizing their finances. They had taken the Land Fund from some provinces, and it was to be distributed for various purposes in others; but they had made no provision for the relief of the public creditor. And not only that: they had actually made proposals which, so far from relieving the colonial finance, imposed fresh burdens upon it. There was at that moment no statement before the House which gave any idea of their real condition. They did not know what the borrowing proposals of the Government were, beyond the general statement that the Government believed £4,000,000 would have to be borrowed. But the consolidation scheme ought to be part of a well-devised system of finance. The fact was paraded that they were going to have what was called a national finance, but there was nothing of that kind about the proposals before the House. There was scrambling for land and scrambling for money for roads and bridges, but there was no prospect of finality in the future. That was not a satisfactory state of things, nor would it be a satisfactory statement to make in the London market, coupled with the statement, which no doubt would find wide circulation, that they were living at the rate of £2,000 a day in excess of their income. It appeared to him that there ought to be placed before the House a statement of the condition of things in the past, and a very distinct indication of what the proposals for the future were to be. He regretted that, in regard to those matters which would have given encouragement to the money-lender, no steps had been taken at all. What had they done? Had any proposals for settlement been submitted? Had the surveys been extended? Had anything been done towards laying down a well-matured scheme of railways, or for making more profitable those already constructed? Was there any indication that the country was going to continue that settlement policy which if dropped must land the colony in considerable difficulty? He was one of those who steadily opposed Sir Julius Vogel's policy, because he foresaw that it would be impossible to carry it on without introducing the scrambling system into the House; but at the same time he saw that, while it was dangerous to pursue that policy, it would be ruinous to stop it. He did not say that the Government proposed to do that, but they had brought down proposals to stop the land sales, and they had sanctioned a scramble of a very reckless character. He would not oppose the Bill, although he regarded it with very mixed feelings. He did not look with favour upon Bills of this kind being brought down as a temporary relief to the revenue; and he was afraid that proposals of this sort, unless surrounded with safeguards of a prudent and far-seeing character, would be attended with serious results in the Home money market.



Mr. HUNTER was understood to say that he thought the honorable member for Avon partly misunderstood the nature and extent of the proposal contained in this Bill. The honorable gentleman appeared to think that the proposal was identical with that contained in the Consolidated Loan Act of 1867; but it was really a proposal of a very different description from the consolidation which took place at that time, the object of which was to put the finances of the General and Provincial Governments in a proper position and ascertain the entire indebtedness of the whole colony, and afterwards only to allow the General Government to issue bonds in the Home money market. But this Bill, if he understood it correctly, was a permissive measure. It was not compulsory in any respect. Subsection 4 of clause 4 contained these words: "Any conversion so authorized may be effected either by arrangement with the holders of existing securities, or by purchase thereof out of moneys raised by a sale of new stock, or partly in one way and partly in the other." It appeared to him that it would be in the power of the bondholders in England to make their election whether they would hold their old bonds or take advantage of this Bill. He thought that the value of this Act was shown by the eagerness with which the other Australian Colonies took advantage of the opportunity to come under the operation of similar Bills. The honorable gentleman had also referred to the necessity for legislation, but he thought the necessity was for legislation in the Imperial Parliament. This had been given effect to by the Act which was passed through the Imperial Parliament, which had given power to carry out all these arrangements. He thought the honorable member for Auckland City East was correct in his remarks about the Sinking Fund. He held that it was sufficient to raise enough to pay the interest on their loans without having to provide for a Sinking Fund. The honorable member for Avon had referred to the system of borrowing pursued in England, and had said that the rule followed in regard to the distribution of money to the counties and municipalities was as follows: The Imperial Government handed the money to Commissioners of the Boards of Works, who in their turn passed it on to the counties and municipalities. But he (Mr. Hunter) was certain that that course was not always pursued. He believed that the bondholders in England and elsewhere were quite able to take care of themselves, and that there was a great deal of false sympathy expressed for them. They took care to see, before they lent their money, that they had good security. If they did not think the security was good the colony would not be able to raise loans. The proposal in clause 7 that the Governor in Council might arrange with the Bank of England for the inscription of New Zealand stock was one that had been talked of for a number of years as likely to be beneficial to this and the neighbouring Australian Colonies, and an Inscription of Stock Bill had been passed through the Imperial Parliament. When once New Zealand stock could be inscribed our bonds would be of greater value. It should

*Mr. Rolleston*

be understood that in passing this Bill Parliament was not prejudicing any of the rights or privileges possessed by the present bondholders. It was optional with them whether they took advantage of the Act or not, and the House might depend that they would not give up their old bonds and take up new ones unless they saw that it would be to their advantage to do so. He believed that on the whole the measure would be very beneficial to the colony.

Mr. STEVENS understood that the main object of the Bill was to enable the colony to make use of its trust funds, in order to do away with the necessity of going into the money market for loans so frequently. He thought it was wise to make provision for the use of those funds, and he would therefore be prepared to support the Bill. The Sinking Fund and the debentures that were outstanding could be invested, and the honorable gentleman at the head of the Government would be enabled, if he took the power now asked for, to give effect, at all events to some extent, to that part of his policy on which he had laid considerable stress—namely, dispensing with the Sinking Fund, which had now reached the sum of £750,000. It was only natural that the honorable gentleman should wish to have the Bill passed, in order that he might be enabled to give effect to his proposals. He (Mr. Stevens) had now to say a few words in reference to the remarks of the honorable member for Auckland City East. He might say that the proposition that the Sinking Fund should be done away with was made by himself last year in Committee of Supply; and the honorable member for Auckland City East, who spoke shortly afterwards, said,—

"The suggestion that was made by the honorable member for Christchurch (Mr. Stevens), in relation to the Sinking Fund, is not, to my mind, so difficult a matter as that honorable gentleman seemed to consider it. The Sinking Fund, after all, is only a statutory assurance for the provision of the payment of certain money borrowed by this country within certain times; and I have not the slightest doubt that, without any breach of faith whatever, supposing the interest upon the money were paid, the Sinking Funds could be let fall altogether."

Then the honorable gentleman continued,—

"I say that the same law which made the Sinking Fund can unmake it. Exactly in the same way as, if an income-tax were placed by this House or by the Assembly—for we have got too much into the habit of thinking this House everything—on all incomes, it would take off a certain portion or percentage that we pay for the interest on our loans."

He did not think his honorable friend the member for Avon need be afraid of this Bill, which, in his opinion, would be favourably received. He would give his cordial support to the motion for the second reading of the Bill.

Mr. MONTGOMERY wished to say a few words before the Bill was read a second time. He thought the honorable member for Avon had put the question very clearly when he asked whether the Bill which the House was now asked to pass was intended to give facilities to investors

in England to dispose of their money advantageously: he struck the point when he said it would be questioned in England whether the Bill was brought in merely to get rid of the Sinking Fund, or for the purpose of doing some good for the bondholders. He understood that the object of the Bill was to get rid of the Sinking Fund for the future, and to enable the accumulated Sinking Fund to be set free. His honorable friend the member for Christchurch City (Mr. Stevens) claimed to have been the first to propose that the Sinking Fund should be done away with; but the House would remember that in 1867 that Fund was set free. It was then said that that was one of the first things that would result from the consolidation of bonds. It would be for the bondholders to say whether or not they would accept stock which did not bear a Sinking Fund. The honorable member for Auckland City East had said that the bonds which did not bear a Sinking Fund stood higher in the London money market than those which did; but that was a great mistake. New Zealand 5 per cent. consolidated bonds issued a few years ago, which bore a Sinking Fund, stood at 104 to 105 in the London market; and the 5 per cent. bonds issued last year, which did not bear a Sinking Fund, stood at 101 to 102. Whether it was that the people in London looked upon a bond as being of greater value because it had a Sinking Fund attached to it, or whether it was that the last loan had not yet been taken up by investors and was still in the hands of speculators, he was not quite certain; but it was a fact that the old loans which had Sinking Funds attached to them stood at a higher figure by 2 or 3 per cent. than the last loan, which had no Sinking Fund. He did not think this was a good time to go in for consolidating the loans of the colony. They were going into the money market to borrow £4,000,000 while they were showing the London bondholder that there was a deficit. They were showing the bondholders in London this, while at the same time they were asking them to take new bonds in exchange for their old ones. He thought it would be found that the bondholders would not do that very readily. They were bound to go on with this Sinking Fund while those bonds were outstanding. It was a very large power to give—to consolidate the bonds outstanding and issue fresh stock—in the face of asking four millions from the London money-lender. He did not think there would be that benefit derived from this Bill which most people expected, and he held the same view as that taken by the Hon. the Premier, that it would be much better, even if the Bill were passed, not to put it in operation for some time. While he was not opposed to the passing of the Bill, he would much rather it did not pass, but that it should remain over for some future time. He was quite willing that this stock should be inscribed by the Bank of England, that the Bank should pay interest, and that the colony should reap any benefit that might attach to the great name of the Bank of England. But the consolidation of the loans was quite a different thing. He trusted they would not consolidate the loans at the present time. With regard to the inscription of stock, he

thought it might be advantageous, but not nearly to the extent indicated by the late Premier. The trust funds held on account of minors over the whole of the Australian Colonies would be in the market free, and people would not be inclined to invest in New Zealand stock in the London market for 101 or 102 at 5 per cent. when they could invest in Australian stock on more favourable terms. He did not think the credit of New Zealand stood so high as that the stock should be considered in the London market as the best colonial stock. He did not think they could realize much benefit from the desire of investors to invest in these securities, and he thought they should go on paying to the Sinking Fund until they had paid off their debt.

Mr. MURRAY had not heard any good reason adduced for again bringing forward this Bill, and he was glad the previous Bill had been discharged from the Order Paper. He did not see what advantage the colony was to gain by the proposed measure. No doubt it might relieve them from the payment of £115,000 a year, but that meant that they were not to pay their debts or redeem their bonds to that extent. That would not be a saving to the colony. He had always looked upon the Sinking Fund as a most clumsy expedient for paying off their debts. They were borrowing continuously, and this proposal would enable the Government to dispense with borrowing yearly to the amount of the Sinking Fund, provided the bondholders agreed to it, and also to release the accrued Sinking Fund; but it remained to be seen whether the bondholders would agree, without the colony making a very material sacrifice to induce them to do so. It had been said that the loan issued under the Consolidation Act of 1867, with Sinking Fund, stood at a higher rate than the loans issued with no Sinking Fund. But it must be remembered that the loan issued in 1867 expired on the 1st January, 1893, whereas the four million loan was not repayable until the beginning of the next century, those who held the first loan being therefore holders of, as it were, a prior or preference claim. There was no reason for saying that the stock would sell at less value with the Sinking Fund than it would without it. Seeing that the colony would derive no special advantage by the proposed measure, and that it was one for the benefit of the bondholders, he could see no necessity for making the Act retrospective. The payments they were making every year reduced the necessity for the consolidation of the loans. On these grounds he trusted the Government would not, at this late period of the session, ask the House to pass such an important measure.

Mr. TRAVERS pointed out that the money accumulated one year was devoted to the extinguishing of a certain number of bonds by means of annual drawing, which he considered to be an important thing for the colony. He disagreed with the idea that, because it was supposed that the colony was in an unsatisfactory financial condition, which he did not at all credit, they should not take steps to consolidate their loans. His impression was that the earlier they took such a step the better. Inasmuch as this Bill was per-

missive in its character, he could see no reason at all why it should not become law. His impression was that the Government would exercise a wise discretion by endeavouring to consolidate the loans at the earliest possible date.

The House went into Committee on the Bill.

Sir W. FITZHERBERT.—As I have had considerable experience of the subject with which this measure deals, I desire to address a few words to the Committee, although I have no hope of being able to induce honorable members to agree with the opinions which I hold, and which are opposed to the Bill. Last year a measure was introduced called "The Inscription of Stock Bill," but the real character of which is more fully developed under the present title of "The Consolidated Stock Bill." There is a good deal of confusion, it appears to me, in the minds of honorable members with regard to this Bill. Let me endeavour to simplify, if I can, some of the parts of this measure. Let us not confound the inscription or registration of stock with the consolidation of stock. They are altogether different questions; yet, to hear some of the views expressed in respect to this Bill, it would seem as if they were merely viewed in one light. It is very patent that it would be exceedingly advantageous to enlarge, as it were, the area of the customers for our loans. Clearly, if we can tempt that very desirable class of investors known as "trustees," we shall, of course, have a much larger demand for our securities. It is scarcely necessary to dwell on those advantages. No one for a moment would propose to reject any measure which had simply that for its object. But it is an altogether different question when you come to consolidate your debt, to bring it, as it were, under one denomination, and to endeavour to carry out this negotiation—namely, to ask the holders of your stock to exchange the securities they hold for others with which you are going to replace them. That is the operation now sought to be legalized by this Bill. Now, what is the object which we have in view? Do not let us deceive ourselves, but let us frankly admit what it is that we desire. We have got, I think, somewhere about £1,200,000—an amount made up of the savings of several years. We pay, also, annually an amount of about £180,000—a heavy charge upon our consolidated revenue. That is the temptation which induces successive Treasurers to come and ask for this consolidation. Let us strip this question of another consideration with which, I think, it is rather confounded. There is an idea of prejudice—or perhaps it would be more respectful to say, of "opinion"—against sinking funds in general. Do not let those who have an objection to such a mode of redeeming their loans be therefore incontinently betrayed into the support of a measure of this sort. I am willing to concede that it is desirable that we should borrow without having recourse to the additional charge of a sinking fund. Let us analyze this objection a little. It is not an objection to providing some means for future repayment. That is an opinion which no one would be prepared to defend. The objection is not to the prudence of laying by in a proper manner; but

Mr. Travers

it is a valid and reasonable objection to being compelled to lay by year by year when it may be highly inconvenient. I think honorable members are rather apt to object to the thing itself because of the objectionable mode in which it is sought to be brought about. Let us consider a little. Is it so unreasonable for countries that borrow to lay by sums from time to time, in order to repay at the earliest opportunity and in the most convenient manner they can? If so, what then may be said of the imprudence and rashness of a great country like that great Republic on the other side of the Atlantic, which has for some years been making the most strenuous efforts to diminish its large public debt! But let me advert to another example which, if that republican example is abhorrent to the mind of the House, may perhaps have greater weight. Let us look to how the finances in that respect are managed in Great Britain. Is it to be supposed that the successive Chancellors of the Exchequer there look with calmness and composure upon their large debt, and do not make efforts to repay it upon such occasions and so often as opportunity prudently demands? I think there is a kind of idea floating in the minds of many that the large public debt of Great Britain is not being diminished, that it remains *status quo*, and that no efforts whatever are being made to diminish it. So far is that from being the case, there has been during the last twenty years a very considerable reduction in the public debt of Great Britain. Twenty years ago the figures were £839,519,326, or, in round numbers, nearly £840,000,000. Now, by the latest return which has been issued, the debt stands at £775,873,000, being a reduction in twenty years of nearly £64,000,000. It is an argument often used, "How foolish it is to put by a Sinking Fund to pay your debts when you are borrowing!" If that is so, what foolish people the Chancellors of the Exchequer at Home must be, as this operation has been going on for the last twenty years. In that time considerable additions have been made to the debt, but they have nevertheless been paying it off, and, as I have shown, during the last twenty years they have diminished the debt by £64,000,000. Do not let us suppose that this is a kind of obligation and responsibility that we can lightly evade. Do not let us suppose, in the confidence of a young country, that we can go on borrowing and never think of the future, casting every burden off for the present, and letting the future take care of itself. I have said so much because I think there is a great deal of misconception and a good deal of prejudice against this idea of laying aside something in order to recover and take up the capital sums of our debt. Now, do not let it be concluded from what I have said—at any rate I shall believe myself to be very badly understood if such a conclusion should be drawn from what I have said—that I am opposed to a measure of this sort. Frankly, I admit that I think it is a very desirable measure; but, like many other desirable measures, the question arises as to the opportunity and as to the fitness of the time for the introduction of the measure. I think a more inopportune time it

was impossible to have selected for the introduction of a measure of this sort. Why do I think so? In order to answer that question we must fairly consider what is the kind of operation that we are proposing to ourselves by this Bill. Of course no one who has given a moment's consideration to this subject will need to be told that it is not a compulsory measure. Of course that would be simply proposing an act of repudiation. It not being so, it being a measure of mutuality, let us look at what will naturally be the inquiries made by the other parties with whom we propose to deal under this Bill. When you go and ask them to give up the bonds which they hold, to which are attached certain privileges, and to which already there is attached a material security to the large amount to which I have referred—when they are asked to give up advantages also annually accruing in increment of that sum already so large, you must be prepared to offer them some advantages. Not only must you be so prepared, but you must be ready frankly to tell them all about your finances at the present moment, and all about your finances for some time to come. It is not reasonable to suppose—and if you think it is reasonable, and attempt it, you will make a mess of it—that with a high hand you may decline to answer any questions; or, if you do not decline to answer questions, if you are unable to answer them in the most perfectly satisfactory manner, do not suppose that any proposals for exchange would be acceptable. What, then, will be the nature of those inquiries? It will be asked, "How do you stand? What are your probable borrowing intentions for the future?" It will be pointed out that already you have gone to a very great extent indeed, and they will ask you, "Are you going on for the next ten years as you have been going on for the last ten years? If not, to what extent? What is the present state of your finances? Are they such that you have large balances—that you yourselves believe that the condition of your finance is such as to be one of complete congratulation? Can you say that you have confidence in the future? Do you know what you are about? Are you going on to borrow for the next ten years as you have been in the past, not only as to amount, but borrowing blindly—first getting the money and then considering what you are to expend it on? Is that to be the style of your future finance?" All these will be the pertinent inquiries which those whom you ask to exchange the bonds they have, with all the advantages which have accrued, will peremptorily require to be answered in a clear and precise manner. There will be no evading them, and, if your replies are not perfectly satisfactory, in proportion will your attempt be a failure. I do not wish to be twitted with any desire to trouble the Committee with any portion of autobiography, but I may be allowed to say that the opinions which I hold on this subject are the result of deep reflection and considerable experience. I say considerable experience, because I know of only two operations similar to this which have taken place in any of our colonies. The one was in Canada some twelve

or thirteen years ago, and the other was in this colony some nine years ago; and of the latter I was charged with the entire and sole responsibility. Do not let the House suppose that I am talking at all in an egotistic way. I have never, for various reasons, had an opportunity of publicly stating in this House some of the transactions with which I was then charged; but I will say so much in order to show at any rate that the advice which I now venture to give to this House is advice upon which I acted myself when I was representing this colony under a deep sense of responsibility. When, at the end of 1867, I was sent Home on that mission, I had a twofold duty imposed upon me. One was to endeavour to arrange with the Imperial Government for a large amount which they claimed at the hands of this colony, amounting to three-quarters of a million, and the other was to consolidate our loans. Now, how did I set about that? I had no sooner reached the shores of England than I was beset on all sides with inquiries, and urgent requests that I would not loiter about my work—that the market was ready, and never was there such a favourable opportunity. I respectfully disregarded all such solicitations: not from any disrespect—for many of them came from most friendly quarters, and quarters upon which I had every reason subsequently to place great reliance—but there is an old saying, *Festina lente*, and it is of very frequent application. There was also another consideration which weighed with me. I felt that the responsibility rested with me alone; and this is how I reasoned: that it would be premature for me to ask persons to exchange good securities, with advantages attaching to them, unless I was prepared to make a perfectly clean breast of it and to show that there were no particular disadvantages under which our finances at that time rested; and I felt that, going into the market to accomplish so difficult and delicate an operation, I might be met at the very threshold with the inquiry, "How about the Imperial debt?" I therefore determined to leave behind the question of consolidation until I had settled one way or another the question of the debt for which we were being pressed; and, after four months' difficult negotiations, I did accomplish the entire exoneration of the colony from the whole of that debt. Not a day, however, did I lose, after the removal of this preliminary obstacle, when I was able to go into the city and inform persons of what had been done, to take counsel with brokers and other persons who could give me the best possible advice with regard to the consolidation of our stock. I then found that I was met in an altogether different manner. I was a person free from debt, as far as representing the colony was concerned, and then I was in a position to make favourable terms. Considering the frequent admonitions that have been addressed to the old politicians of this country, that they should not presume to give utterance to their opinions in this House, nevertheless I am bold enough to say that I think there are times when we may, prudently, and without being charged with egotism, give advice in that sense. In the face of this Committee I venture to say that no

one who was concerned in that large transaction would express any other opinion than that there never was any more perfect success than was that operation. There have been imputations cast in this House and reflections made upon the imperfect manner in which that transaction was accomplished, and it is almost the only occasion on which I have heard such opinions expressed; but when I hear such arguments as that all the success depended upon the brokers, I cannot but be reminded of this: We will say that after fighting for his country Parliament passed a vote of thanks to a successful General, and then he was met with this observation: "You did not win the battle; it was your soldiers." I say that the very same principle that so successfully led to the accomplishment of that particular operation of consolidation is equally applicable to-day and for all time. But are we in the same condition now that we were in then? I say, by our own admissions, our circumstances are not the same. Let us see what is the difference. Apparently by the more or less unanimous desire of this House, we have declared that we are going to overlook the whole of our fiscal system—we are going seriously to consider that great question of the incidence of taxation upon the people of this country; and who is bold enough, who is wise enough, who is experienced enough to look into the future, and declare, in such a precise manner as people who will be asked to exchange one security for another would wish to be informed, precisely and definitely, and in figures, what will be the outcome and result of such legislation upon our revenues? Yet we are to go in the dark and say to the holders of our bonds at Home, "Come and exchange with us; we want it; come and exchange." They will answer, "How about your finances? You are going to alter the whole incidence of taxation. Can you tell us what will be the result? Can you tell us, whoever you are, deputed to conduct these negotiations, what will be the exact result? It may be what you estimate; it may be that you are a very able and a very good financier, and a prudent man, and that you would not wilfully deceive us: but pardon us that we cannot accept your loose estimates upon a matter so nearly affecting our interests." I ask, plainly, whether there is common sense in that, or not; but I will go further, and I imagine the holders of bonds who were being treated with being told that, through the alteration in the incidence of taxation, and through taking four-fifths of the proceeds of the landed estate, whether by sale or by rents, our revenue may be, and probably will be, increased. But I say that no one could undertake to state anything definitely upon so serious a question and in such a responsible position. This, I think, is the question which has to be ascertained: What is to be the result on the consolidated revenue? And I say, again, no one will be bold enough to affirm that it will bring into the consolidated revenue any definite increase. The whole matter is perfectly indefinite at present. I beg to call the attention of the Committee to another class of considerations. I said the introduction of this measure was

Sir W. Fitzherbert

inopportune, and I will tell you why. I think the very mode of its introduction is inopportune—that there is a hurry about it for which I am unable to account. Now, in reality, deliberateness ought to be the essence of any such operation. Would any one go and show that he is in a corner, show he is anxious, display his hurry, or admit in any way that he is forced, that he must have it, that he will have it? If he did so, I say his negotiation is *pro tanto* damaged. Of all negotiations this one ought to be approached not only in the calmest spirit, but, I might also say, in a most indolent and *nonchalant* state of mind. If you approach these holders with the slightest hurry or undue anxiety they will at once say—and they will talk pretty plainly on these matters in England—"Sir, we understand it all. You are at present obliged to lay by every year £180,000; and now you want to seize the pool; and that is the cause of your anxiety. It is nonsense to tell us you are perfectly at ease in your finance, for everything that is disclosed shows the contrary." I say, after showing, first, the result of your change in the incidence of taxation, and then the result of the taking of four-fifths of the land revenue, and showing—and I understand it is intended to show this—that you are bringing about something like an equilibrium between expenditure and income by retrenchment, that then you will make the bondholders attend, and then they will make no hard bargain. Show them what you are about to do in the future. Let them know whether you are going to borrow £10,000,000 for the purpose of completing your railway communication and other public works. But let your mind be a blank on all those subjects and you had better not attempt negotiations. To summarize what I have said to the Committee, I repeat, that the time is inopportune for these negotiations, and that, precedent to entering into them, you should take all those measures which I have indicated, and go to the holders of your bonds with a clean sheet and with a thorough knowledge and appreciation of your affairs, looking to the future, so that when you are catechized and examined as to the state of the country and its prospects you can give a plain answer. Then the result will be satisfactory. Let me say this, also, as to the eagerness displayed in bringing forward this measure: I can easily understand the great temptation that any Treasurer has when he views, in a manner almost to make his mouth water, a rent-charge of £180,000 a year which he can save and grasp, as he imagines, by only holding out his hand—£180,000 of our own money, the result of the prudence of past arrangements, and thus be able to make both ends meet by this saving of £180,000 a year. Happy the Treasurer who could do that by merely stretching forth his right hand! It is a great temptation, and I almost pity any Treasurer who has had such a temptation to meet. I think it would be difficult to answer how far he might yield to it. Already I am afraid Treasurers are too apt to fall into that error into which the henwife falls who counts her chickens before they are hatched; and I would warn any Treasurer of the danger of calculating too much on those results.

This matter is not dependent upon us, but upon those who guard their own well; and the negotiation cannot be carried on in a hurry. The successful issue of it is a process of time, and is mainly dependent upon those points being first cleared up to which I have drawn the attention of the Committee. There are many points which could have been very largely developed, and I should have been very glad to have done so were I not regardful of the patience of the Committee; but still, in what I have said, I have felt that I had a duty to discharge, and I have endeavoured to do it. I say that by hurrying this matter now no good will come of it. On the contrary, you will be spoiling your chances for the future of carrying out the most admirable negotiations and proposals that could possibly be made for the good of the colony. You are marring those prospects by trying to grasp at a shadow which will elude you even before your hand is stretched but; while, on the contrary, you will have the substance if you approach the subject in the way I suggest. It is the interest I feel in the welfare of this country that has led me to trouble the Committee with these remarks, and I commend what I have said to the serious consideration of honorable members. If it be true that you are not getting any benefit, if it be true that there are certain difficulties which mar what would otherwise be an admirable transaction, why should you force it on? Why should you pass such a measure, when you are in the middle of many things which are not yet complete? Why not wait and see the result of the proposals to economize? What effect do you think this will have upon the persons to whom you are about to go? Why not wait until you can see the net result of the increment to your revenue by taking the Land Fund? It behoves any prudent financier, and it is not at all incompatible with progress, to look forward to some means by which proposals might be made for not merely redeeming a great amount of the public debt, but to make some provision by which that redemption might be accomplished without burdening the people, and in a manner which would adjust itself to the exigencies of the country from year to year. There is one other point I desire to impress upon the Committee, and it is this: that, when an operation of this sort is proposed, you ought to be enabled to say distinctly, within a certain number of years beforehand, "That will be the limit of our borrowing, and the objects on which the borrowed money will be expended will be of such and such a character." Looking at the present circumstances of this country, I am sure that I cannot be regarded as overstating the case when I say that the policy of Immigration and Public Works is not more than half accomplished. When I look at the large gaps, not only in the North Island, but elsewhere, I cannot think that this country will be content to allow those gaps to remain from generation to generation. In a new country we cannot afford to lie by so long. I cannot but consider that a great mistake has been made in carrying our great trunk lines of railway parallel to the sea-shore. What have we seen? Natural demands everywhere that the

interior of the country should be brought into communication with our many important ports. How is it possible that we can allow one part of the country to be provided for, and not another? How can the interior of the country be utilized? How are you to fill this magnificent country with people to carry on settlement, and to make roads, bridges, and railways? You cannot do that without borrowed money. Still, you ought to be prepared to say as nearly as possible what you are about to do; and, if you are unable to do that to-day, then, I say, you are not in a position to bring forward a measure of this sort. This measure ought to be concurrent with other financial measures for a certain number of years. There is one other point upon which I ought to make a few observations, and it is this: When, some nine years ago, it became imperative to consolidate our loans, we did it because we were compelled by the consideration that there were holders of a great variety of bonds who scarcely knew to whom they should look; and concurrently with that proposal stringent measures were taken by this House to check the free loose borrowing which every governmental body indulged in, because it was found that the credit of the country had been very much affected by this indiscriminate and promiscuous borrowing. And what have we been doing since? Without restraint, almost with universal applause, each has been aiding the other—I will not say in a manner that was not proper, but each has been aiding the other to improve our harbours, to build our bridges, to drain our towns, and to do every other kind of work that civilized men in new countries are called upon to do. We almost rejoiced when we squeezed through the Legislature a loan of a quarter of a million, or even £400,000 or £500,000. It has been a matter of congratulation, and, like Mr. Micawber, we have gone outside and thanked a merciful Providence that that was provided for. In plain language, we have gone on like blindfold children playing "blind-man's buff." But the day is coming when it will be necessary to gather up all that, and if we do not act more prudently our credit will fall. Heretofore we have evaded these stern duties; in an uncourageous spirit we have shut our eyes to them. But people at Home will not allow that to continue. If our main lines of railway were complete, if our harbours were properly provided for, and we knew that we should not have to go to the English money market for some considerable time, then we might disregard any dissatisfaction at promiscuous borrowing by local and municipal bodies. Suppose I were in a position to ask a question to which an answer might be peremptorily required, I am afraid there is no member of this House who would be able to answer the question I am about to ask. It is this: What, to-day, is the total amount of all the borrowing in New Zealand by public bodies, exclusive of the General Government? Can any one answer that question? I honestly believe there is not a man in the House who can. Yet blindly we go on. I can say that I have at various times earnestly and truly tried to induce the House to shut the door. We

had established the credit of this colony on a basis upon which a good deal of magnificent superstructure had been raised. We were then in a sound position: but we have gone on encouraging each other to borrow until to-day we do not know the amount of what we owe. I shall be asked, "What is the good of bringing up such jeremiads, such prognostications of evil, such imaginary bogies, to frighten us? We know what the result will be; but what has that to do with us?" I tell the Committee plainly that it has everything to do with us. The time is not far distant when we shall be brought face to face with that question, and I will tell you how, in my opinion, it will be viewed by the people at Home. If we say to them, "It has nothing to do with us, it is no child of ours; if the municipality of A or B refuses to pay its interest and sinking fund whenever it may be due, that is your look-out, you should not have lent your money to them," those persons will say, "We made our advances upon the strength of a Bill. That Bill received the assent of the Legislature: not only that, it received the assent of the Governor of the colony. We have got your indorsement, and we look to you." It cannot be denied that we have shut our eyes to the indebtedness of the colony; but my mind is clear as to the future. I fear you have made a hard bed for yourselves; but with regard to the future every inquiry should be made. If you should be called upon to pay your outstanding accounts, possibly you would hesitate; perhaps you would repudiate any liability. Woe betide you if you did. Woe betide you for the success of your coming negotiations if those intrusted with them had to answer this question. This country should have a policy on that point. It should pass a declaratory Act, pronouncing that it would not, in the future, be responsible for any municipal borrowing. There are many ways in which the colony can protect itself. I need not trouble the House by referring to them in detail; but I do wish to point out the gigantic nature of that liability, and to recommend the House to take it into serious account. You ought to have no uncertain reply to the interrogatories that will be put to you in the London money market. I have nothing further to say, except to thank the Committee for its attention, and to commend my observations to its serious consideration.

Progress was reported, and leave given to sit again.

#### WESTLAND AND NELSON COAL FIELDS BILL.

The House proceeded to consider the amendments made by the Legislative Council in this Bill.

Mr. MACANDREW moved, That all the amendments made by the Legislative Council in this Bill be agreed to, with the exception of that in the clause which limits the duration of leases; and that Messrs. Curtis, Sharp, and the mover be appointed Managers to draw up reasons for such disagreement. He explained that the principal alteration made by the Legislative Council was to the effect that the maximum date of the leases

should only be for forty-two years instead of ninety-nine years.

Mr. TRAVERS thought that if the leases were only granted for forty-two years it would be difficult to get people to engage in coal mining, and that it would practically be shutting up the industry altogether.

Dr. HENRY agreed with the remarks of the honorable gentleman who had just sat down. Some of the persons who were now engaged in coal mining held leases for ninety-nine years, and it would be unfair to others and detrimental to the revenue of the colony if any alteration in the length of tenure were made.

Mr. SHARP knew that very few people would invest their money in coal mines unless they could get leases for ninety-nine years. He hoped the amendment of the Legislative Council would not be agreed to.

Motion agreed to.

Mr. MACANDREW brought up the reasons of the Managers for disagreeing with the amendment.

Mr. STOUT moved, That the amendment be disagreed with. He thought a forty-two years' lease sufficient, and that it should not be extended beyond that time. They could get any number of capitalists to take up leases for that period. If they gave capitalists a ninety-nine years' lease they might as well give the freehold.

Mr. SHARP said that capitalists in England, Australia, and New Zealand had been urged to embark their capital in the coal fields on the West Coast, and they refused to do so on a lease of forty-two years.

Dr. HENRY trusted the motion of the honorable member for Dunedin City (Mr. Stout) would not be agreed to, and that a Conference with the other House on the subject would be allowed, because, if the term for which leases could be granted were limited to forty-two years, capitalists would not invest their money, and the progress of these coal fields would be very much retarded. At present there was great difficulty in developing the coal fields, and that difficulty would be increased unless further facilities were given for the investment of capital. Ninety-nine years was not at all too long a term for which to grant the leases.

Question put, "That the reasons for disagreeing with the amendment made by the Legislative Council in the Bill be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	31
Noes	...	...	...	...	20
Majority for	...	...	...	...	11

#### AYES.

Major Atkinson,	Captain Morris,
Mr. Barff,	Mr. Ormond,
Mr. Carrington,	Mr. Rees,
Mr. Curtis,	Mr. Rolleston,
Sir R. Douglas,	Mr. Rowe,
Mr. Fitzroy,	Mr. Seymour,
Mr. Fox,	Mr. Sharp,
Mr. Gibbs,	Mr. Sheehan,

*Sir W. Fitzherbert*

Mr. Giaborne,  
Mr. Hursthouse,  
Mr. Johnston,  
Mr. Kelly,  
Mr. Kennedy,  
Mr. Macandrew,  
Mr. Macfarlane,  
Mr. McLean,

Mr. Stevens,  
Mr. Sutton,  
Mr. Swanson,  
Mr. Wason,  
Mr. W. Wood.  
*Tellers.*  
Dr. Henry,  
Mr. Woolcock.

#### NOES.

Mr. Baigent,  
Mr. Ballance,  
Mr. J. C. Brown,  
Mr. Burns,  
Mr. De Lantour,  
Mr. Dignan,  
Sir G. Grey,  
Mr. Hamlin,  
Mr. Hislop,  
Mr. Montgomery,  
Mr. Murray,

Mr. Nahe,  
Mr. O'Rorke,  
Mr. Reid,  
Mr. Richardson,  
Mr. Shrimski,  
Mr. Thomson,  
Mr. Tole.

#### Tellers.

Mr. Lumsden,  
Mr. Stout.

The motion was consequently agreed to.

#### LOAN BILL.

Sir G. GREY.—Sir, it is my duty to move the second reading of a Bill to authorize the Borrowing and Raising of Money for Immigration, for the Construction of Public Works, and for other purposes. The House is so well acquainted with the various provisions these Loan Bills usually contain, that when I say that this is simply a transcript of similar measures, I have imparted all the information upon this point which I can give to honorable gentlemen. The real information which honorable members will wish to obtain is as to the sum we propose to borrow and the object for which the money is proposed to be borrowed. I was extremely desirous of being able to state to the House what I believe is the sum necessary for us to borrow to enable us to complete the public works and the scheme of immigration upon which we have entered. I was rather interested when the honorable member for Avon this evening said that one of his objections to the present Government was the fact that they did not put before the House any well-devised scheme of railways throughout the country. We inherited from our predecessors a certain system of railways. I do not mean to make any objection to the manner in which that inheritance was left us, because the position we now occupy was probably unavoidable; but I object to the position which myself and my colleagues occupy, and which any Ministry must occupy, in reference to that subject. Of course, one of the objects to which I have directed my attention is an effort to get an estimate of the probable amount we should ask the House to give authority to borrow to enable us to complete the railways already authorized. It was found that it would be impossible to make such an estimate as would indicate the amount, without a variation of a million on one side or the other. Therefore I cannot put any reliable statement before the House on that point. If I had an opinion as to the total amount we should require to complete the scheme upon which we have entered, I might then have been able to give the House some conception of the borrowing powers we ought to

have accorded to us. That being impossible, I cannot give any estimate on the particular point to which I have alluded. My wish was that I should have been really enabled to tell those persons from whom we borrowed what was the sum that we wanted to raise within the next two years to put us in a position of perfect ease. Finding that the information necessary to enable me to make such a statement is not at my disposal, that, in fact, we could not obtain it, the Government had to cast about to ascertain the best possible plan of meeting the case. The plan that appears to us the best—the plan which we propose to adopt, and which I intend to propose to-night to the House—is that we should endeavour so to reduce our expenditure, and so to regulate our revenue, that we may hope to be able, within a very short period of time, from the excess of revenue over ordinary expenditure, to meet the cost of all necessary public works. I see that honorable gentlemen receive that statement with mingled feelings of emotion. Some receive it gladly, while others seem to disbelieve that it is practicable. I believe myself that it is an object which may be attained: at all events, it is an object towards the attainment of which we should sedulously work. If we do not work towards that object we shall soon come to a breakdown; for there will come a time when we shall not be able to raise the money which will be required to carry out any less politic course that we may determine to pursue. Therefore a part of the plan which we ought to adopt is to make a plain and true statement of the amount we shall probably require to raise within the next three years; and I think the Government ought to have the power of raising that amount. I do not say that the amount ought to be raised at once. I think, perhaps, that, comparatively speaking, only a moiety of that amount, or even less than that, may be required at present; but, for reasons which I will presently state, I am confident that the Government cannot occupy that position of strength in the money market, or that position of power in reference to outside creditors, which it ought to occupy in maintaining the honor of this country, unless it has placed at its disposal the means of raising the money to pay its absolute debts. Without it we cannot make proper and fair arrangements with the creditors who hold what I may call the floating debt of the colony. I ought, first of all, to state to the House what I regard as the floating debt which we must be prepared to meet. Striking the lowest estimate I can with regard to the funds placed at the disposal of the Government for the purpose of carrying on immigration and public works—I mean, the sums that will be required within a reasonable period of time, say the next eighteen months, or a shorter or longer period than that—I believe we shall require £1,500,000 for that purpose. I do not believe we can safely attempt to carry out the policy this colony has entered upon, on the terms on which it must be continued, unless we have the power of raising that amount from time to time, as required. Then we have the provincial liabilities to provide for, and I think the amount the Government requires to



be authorized to raise for that purpose is about £500,000. On Treasury bills we owe a sum of £832,000; we owe to the banks £1,000,000; and we owe to the Public Works Account a sum of £300,000, which I see no prospect of immediately paying. With reference to this last amount, I may say at once that a misunderstanding exists. The late Colonial Treasurer told us this evening that in a short period of time after the closing of the session we should be called upon to repay that amount, and should not have any money with which to pay it. That was an entire misunderstanding. Positively no legal obligation whatever to repay that money exists.

Major ATKINSON.—I did not say so. What I said was that, if the Public Revenues Act of last year drops through, the Government will be compelled by the Audit to repay the amount.

Sir G. GREY.—I am advised, and, I believe, rightly, that no legal necessity whatever exists for the repayment of that sum. For the purpose of squaring the accounts and making them work well, we might at any time repay the amount, and reborrow it immediately afterwards; but I say there is no legal obligation to repay that money from one account to another. I therefore conceive that, if the Public Works Account requires £300,000 to be repaid to it, and there are no funds to repay it, the Government ought not to be left in the position of being unable to meet a liability of that kind, and ought to be authorized to raise the amount if it is necessary to do so. The whole of these sums taken together amount to something in excess of £4,000,000. It will be observed that I do not say in these proposals that we will redeem the guaranteed debentures. I am not certain at present of the necessity or policy of doing so. They are now pledged, and we may be able to leave them in that state for some time longer, until we can consult the House again—perhaps even for a longer period of time than that. Therefore I do not contemplate—and I believe my colleagues thoroughly agree with me—any hurried effort to redeem these guaranteed debentures. In the same way, we do not contemplate at the present time any attempt to repay the £832,000 of Treasury bills. We shall see what arrangement we can make with regard to them—whether we cannot get better terms than now exist, and whether when they become due we cannot so arrange that we shall not be forced to redeem them. With regard to the £1,000,000 due to the banks, also, I do not say that we shall attempt to repay the money when it becomes due. We shall first attempt to make the best arrangement we can, and find out whether it will be better to repay them or to continue debtors to the banks, or other moneyed firms. But, I say, in order to make terms with our creditors, we should be able to say to them, "We are prepared to pay our debt if you force us to do so; but, if you force us into disadvantageous terms, well and good—you must take the consequences." On the other hand, I do not think we should lie under that obligation. I say the House cannot have a Ministry which can have the entire confidence of the House, of the people of the country, of the outside creditor, and of those to whom we may

go to raise money, unless that Ministry is in a position to pay its debts if the necessity arises. I will, therefore, ask the House to put the Ministry in that position which a Ministry representing this Assembly and this country ought to occupy—that is, in a position to be able to meet all just demands upon them, if the necessity arises for their so doing. Let us be able to say with confidence that we can pay every just demand made upon us. Let us be in a position to exercise the strength of will and purpose that arises from the feeling that a solvent man always has, because he is not afraid to meet any creditor. Let us have that respect from those to whom we do owe money which every individual has who is able to meet all his engagements. I tell the House plainly that I do not think such a sum as £4,000,000 need be raised at present. I can assure the House that we shall not attempt to raise a single penny that is not necessary to carry on the public service and maintain the public honor of this country. I ask the House to let us start in the difficult path on which we are about to enter, with the knowledge that we are not encumbered with financial difficulties of a discreditable kind—for I feel that the want of power to pay our debts would be a discreditable position, which the Ministry should not occupy. It is with that view we have determined to ask for power to raise £4,000,000 from time to time as may be necessary. We ask it under the pledge which I give, that no attempt will be made to raise any sums of money that are not absolutely required—that every effort will be made to raise no money except at such a time as the state of the money market may make it advisable. I am certain that, in asking that which the necessities of the case require to be placed at our disposal, I am not asking that which the House ought not to grant, and I am not asking that which it is not my duty to ask. I have only further to say, in reference to that subject, that we look upon ourselves as being altogether in the hands of the House. We desire to maintain its honor and dignity; we desire to maintain the credit of the people of this country. Whatever funds the House places at our disposal, we shall use the best of our ability to obtain those great objects; but it is our duty plainly to say that we ought to have sufficient funds given to us to enable us to fulfil the duties of the position we hold. The schedule of the Bill has been asked for. The amount I have stated would constitute the schedule of the Bill in the form in which I think it should stand. But, until we know what we are likely to get from the House, I think it is undesirable to bring up a schedule, and that can be done at the last moment. The presenting of a blank schedule to the House is not with the intention of withholding a single fact from honorable members. The facts are evident: they can be understood by everybody. Nothing has been kept dark; and I believe that giving the information to the House in the form I have, given it is as good as, if not better than, placing before honorable members a schedule which would be liable to alteration. I move the second reading of the Loan Bill.

*Sir G. Grey*

Major ATKINSON.—Sir, I can quite understand the impatience which the honorable member for Tuapeka and some other honorable members show, who think it of far greater importance to the interests of the country and of their constituents that they should not waste a minute of their valuable time in debating this question of granting a four million loan, than that the money should be given to honorable gentlemen who know absolutely nothing at all about the objects for which they require it.

Hon. MEMBERS.—Oh, oh.

Major ATKINSON.—Yes, Sir: absolutely, as far as one can judge by their statements, they know nothing about the objects for which they want this money. Of course, it may be, as I have said before, that the honorable member at the head of the Government is disguising his thoughts, and, if it be so, he does it most effectually if the statement he has given to us is an indication of the objects for which they require this four million loan. He tells the House he could make up this schedule by the amounts put down in the Financial Statement, together with some slight alterations which he has made himself, but which, as far as I see, this absolutely accurate Government cannot make correct within a few hundred thousand pounds.

Sir G. GREY.—I beg to explain that I never mentioned the Financial Statement.

Major ATKINSON.—I beg the honorable gentleman's pardon. I understand now that it was the Native Minister who said so; but that gentleman does so much of his colleagues' work that I may be pardoned for thinking that he was speaking for the Premier as well as working for him. However, it was only the Native Minister who told us this. The honorable gentleman at the head of the Government has made up his account within a few hundred thousand pounds. That, from a gentleman who is going to give us an absolutely accurate finance, is, I suppose, as near as we can expect, after the various statements we have had. Never before has such a thing happened in this House as a Government not having an idea as to what amount of money it is going to spend, even in bulk. We certainly have had Loan Bills with large sums for railways and other purposes put in in bulk; but never before has it happened in this House that a Government was unable to tell us how it was going to make up the schedule of a Loan Bill for four millions. In the lightest possible manner, the honorable gentleman tells us, not from any calculations, but as a thought—and, as we all know from past experience, his thoughts of to-day may be totally different from those of yesterday, and those which he may entertain to-morrow—that about a million and a half will be necessary for immigration and public works during the next eighteen months; or, according to another part of his speech, if I can follow him, it may be for three years.

An Hon. MEMBER.—No.

Major ATKINSON.—Then what does the honorable gentleman mean? I shall be very happy if any one who understood what the honorable gentleman stated will correct me, for I wish to argue against real statements and not

against imaginary ones. That is what I understood. What the honorable gentleman should have done was to tell us distinctly how much he proposed to expend upon railways in the next year, and how much upon immigration. If we had had a Public Works Statement or Estimates which could have been understood I need not have asked this question, but there is not a single gentleman on the Government side of the House, and not a single member on those benches, who can tell us how much the honorable gentleman proposes to expend on railways during the next year. Therefore it is quite impossible for this House or anybody else to tell what these amounts are. And yet these are the gentlemen who are going to permit no improvident borrowing, and are going to put the accounts in such a position that all the world shall know what they are doing. This, Sir, is the first step towards that state of perfection, and a very hopeful step it is. Then the honorable gentleman tells us that he will want about £500,000 for provincial liabilities. What does he mean by that? It is but reasonable that we should ask for a little more information about it, for we differ very considerably as to the amount of the provincial liabilities. I submitted that matter to the Public Accounts Committee, who have gone into the subject fully, and their report, which will be brought up in a day or two, will bear out the statement that I made ample provision for the provincial liabilities. I believe that report will show that the provincial liabilities were under what I estimated them to be on the 30th June, and that the total liabilities we were bound to provide for amounted to considerably under £250,000. Yet the honorable gentleman told us, without a word of explanation, that we should have to provide £500,000; and when we look at the Estimates he submitted, which of course are accurate, we find that the honorable gentleman asks for £663,000. But they have apparently looked into their accounts since I addressed the House a few evenings ago, and they find that they have over-estimated the accounts by a very considerable amount, and forgot a credit of over £200,000. Sir, to ask for £500,000 in this off-hand way, after making such a variety of statements in regard to these provincial liabilities, and after it has been shown that they are absolutely in error, is trifling with the House and with the country. Then, with regard to the £300,000 advanced from the Public Works Account, the honorable gentleman said the Consolidated Fund cannot pay this back. I say it can, and I challenge the honorable gentleman, if he doubts my word, to suspend the Standing Orders in order that we may refer the matter to the Public Accounts Committee. I challenge the honorable gentleman to put before that Committee the question whether the Consolidated Fund will be in a position to pay it or not before the end of the year. I repeat that it will, and the only reason the honorable gentleman has for asking for authority to borrow this £300,000 to repay the Public Works Account is to avoid borrowing directly to meet the deficit, which the honorable gentlemen have caused through their

mode of financing for the year. Now, I have thrown down that challenge, and I wish it to go forth to the country. I say, it is putting a false issue altogether to say that the Consolidated Fund cannot pay this amount, and that we are compelled to borrow on that account. Of course, borrowing £300,000 to repay the Public Works Account means adding £300,000 to the consolidated revenue. It is throwing dust in the eyes of the country and casting blame on the late Government in a very unworthy manner to say that this was a debt which they could not pay, that the present Government had to pay it, and that therefore there was a deficit. The matter was as clear as possible, and nobody at all acquainted with finance could make the statement the honorable gentleman made. Everybody knows that the revenue of England is always a quarter of a year behind the expenditure, and we, instead of being a quarter, are only about one-ninth behind: that is, we are about six or seven weeks behind, and they are about thirteen weeks behind. We require this £300,000, because we are obliged to make large payments before our consolidated revenue comes in; but for the year the consolidated revenue is equal to the demands upon it. Therefore, when those honorable gentlemen talk in this way they are bound to tell the country what they mean. I say it is a mode of creating a working balance, and it is simply deluding the country to say that this amount is requisite in order to make up a deficit in the revenue. It is not requisite at all for that purpose. It is an attempt made by a side-issue to obtain £300,000 which, I have already shown, is necessary to meet a deficit caused by the honorable gentleman's peculiar system of finance. Then the honorable gentleman, in a very pathetic way, beseeched the House to put him in a position to discharge our liabilities honestly—to get rid of all obligations of a discreditable kind. Well, Sir, let us see what these discreditable obligations are. Is the raising of the million from the banks one of them? It cannot be, because the honorable gentleman tells us he is going to continue that arrangement if he finds it advisable, and we know that the honorable gentleman is incapable of doing anything discreditable. Then, is it the Treasury bills? It cannot be, because the honorable gentleman proposes to continue them, if necessary: he does not propose to take them up. He proposes to say to the holders, "If you will not give reasonable terms we must do the best we can with you." It is not the Treasury bills. Then what is it? An honorable member says "The accounts." We have heard a great deal about the accounts, but those gentlemen have been in office two months, have adopted our measures one after another, and the culminating point arrived this afternoon when the Premier moved the second reading of the Inscription of Stock Bill, a Bill which previously he described as the most impudent measure he ever heard of. When those honorable gentlemen say that there has been concealment they know that they are stating what is not in accordance with fact. I challenge them to prove it. I challenged the Treasurer to prove it, and he failed to appear.

*Major Atkinson*

I challenge them all; but not one has the courage to answer. I ask any one of them to tell us what these discreditable transactions are which they are obliged to raise £4,000,000 to meet. I have examined what may be called the exceptional transactions, and I find they are prepared to tread exactly in our footsteps. Of course, like Caesar's wife, they are altogether above suspicion. Now, Sir, let us consider for a moment what is to be the great remedy that is to get us out of all these difficulties. Apparently the whole of the difficulties of the colony can now be removed. I was very much struck with this part of the honorable gentleman's speech, and I doubt not, Sir, you were also. The whole of the difficulties created by the late Government are to be got over! How? By granting those honorable gentlemen a four million loan which they do not want to use for two or three years. How terrible must have been the disease which required such a cure! Let us now consider why the honorable gentlemen want this £4,000,000. They require £1,500,000 for immigration, but the honorable gentleman says he does not want it for a year or eighteen months. According to the Financial Statement, the Colonial Treasurer requires £1,400,061 for that purpose up to next June. There is a slight discrepancy in the figures, but that is not material. The honorable gentleman requires this £1,500,000 without doubt. Then he wants £500,000 for the provincial liabilities: that is to say, he will require that sum if we are prepared to vote £200,000 for Otago and other provinces. Otago has no claim in any form or shape to the large sum which appears on these Estimates, and it cannot on any possible ground be legitimately set down as a liability for which the colony is responsible. Therefore that account might be reduced by at least £200,000, and this should be done unless the House is prepared to more than double the amount; because, if that sum is paid to Otago out of the consolidated revenue, equivalent sums must be paid to Auckland and other provinces which have not appropriated money they have not received. If this amount is to be paid to Otago, Auckland should receive at least £100,000 if she is to get that justice for which the Premier is always crying out; and, if the other provinces are also to get justice, a very large sum will be required for them. I hope that the House will seriously consider the matter, and will not vote this sum simply because the Superintendent of Otago chose to over-estimate the revenue of his province.

Mr. STOUT.—It was the Provincial Secretary.

Major ATKINSON.—Probably I may be mistaken in holding the Prime Minister responsible for any figures he submits to this House. Perhaps I ought to say that it is the permanent officers of the Government who submitted figures for the consideration of the House. But, Sir, I always hold the head political officer responsible for all that is done in the matter, and when the Superintendent of Otago submits certain estimates to the General Government I consider that I am justified in calling them his estimates. Well, as I was saying, the estimates of the Superintendent of Otago—

Hon. MEMBERS.—No.

Major ATKINSON.—I ask you, Sir, whether it is proper to interrupt me in this way.

Mr. STOUT.—I rise to a point of order. Surely when an honorable gentleman is stating what is not the fact we have a right to say "No." I say that the Superintendent of Otago was bound to act on the advice of his responsible advisers.

Major ATKINSON.—I know just as much about that as the honorable gentleman himself. The honorable gentleman is simply showing his ignorance of the subject when he says they are not the estimates of the late Superintendent of Otago. They were the estimates of the Superintendent of Otago, which were sent up without there being any prospect of revenue to meet them; and it was never for a moment supposed by the honorable gentleman that they were to be made a charge against the consolidated revenue, but against the land which he expected to sell at that time to meet the votes which he had put on the estimates. It is quite certain that, no land revenue having arisen, there can be no possible claim for those votes being carried out by the House unless we are prepared to do equal justice to other provinces of the colony which did not over-estimate their revenue in the same way. We have no need to vote the sum asked for these provincial estimates by more than £300,000. If we do so it will be a voluntary act on the part of the House. I think, if the Government is going in to reduce expenditure in the way we are told they are, that is certainly a reasonable item in which to begin. If we add the £200,000 which is unnecessary, and if we vote more for the other provinces, as I have shown that we shall have to do, in that case a great addition to our Estimates must be made. Then the honorable gentleman put down as another item £1,000,000 to the banks. That is throwing dust in the eyes of the country, because there is a complete Loan Bill to deal with that already in existence. In fact, the Loan Bill that was submitted to us to-night is an exact verbatim copy of the Loan Bill under which the million was obtained from the banks. Therefore, instead of getting power to borrow £4,000,000, he will, if this Bill is passed, practically be getting power to raise five millions. Both this and the previous Loan Bill provide that, pending the placing on the market of long-dated debentures, the Government may, if necessary, issue short-dated debentures. I think I have shown that there is no need to make any further provision for the million advanced by the banks, ample provision having been made for it last year. Therefore we may strike that million out of the amount asked for. Of course my idea was to have issued that million under the provisions of the Inscription of Stock Act. I should not have issued long-dated debentures under the Loan Act of last session. I should have inscribed it and consolidated it under the Inscription of Stock Act, and I have no doubt the honorable gentleman will do the same. If the honorable gentleman is going to pass the Inscription of Stock Bill there is no necessity for taking any authority for that million, or for the £800,000 of Treasury bills, because he can issue long-dated debentures

to take up the Treasury bills when they become due, and many of them will not fall due for a considerable time, and, in fact, some of them need never be taken up at all, because there is £300,000 worth of them in the Trust Funds which it is desirable to keep invested in that way. It would, in my opinion, be wise to alter the Inscription of Stock Bill so that it would include these Treasury bills. I have shown, I think, that the Government do not require the £1,000,000, nor the £300,000, nor the amount of the Treasury bills; and therefore, according to the honorable gentleman's own showing, all that he requires to meet the engagements in the way he proposes is something less than £2,000,000. I may say, however, that the honorable gentleman has not made provision for some items that will be required. I shall not now state what those items are, but I have no doubt that when the honorable gentleman has gone further he will find out what they are. He will require nearly half a million for them. I have pointed out that, according to his own showing, £1,700,000 is all that the honorable gentleman requires, and if he includes the provincial liabilities he would be amply covered if he were to take £2,500,000. I hope, however, that the House will not consent to a loan of £2,500,000, but only to one of £2,000,000. There is nothing whatever required for those so-called provincial liabilities—what I may term the bogus votes of the Otago Provincial Council. If Otago gets that money, provision will undoubtedly have to be made for some £400,000 or £500,000 more to settle with the other provinces. If the Government have to pay all these so-called provincial liabilities they will require a little more than £2,000,000; but, if we are to begin that prudent system of finance which we are assured is about to begin, let us begin by declining to pay these items, which are not provincial liabilities. I trust that the House will only allow the honorable gentleman to borrow £2,000,000. If we pass the Bill as it stands we shall be placing enormous power in the hands of the honorable gentleman without any reason at all. The first thing that will be asked in the London money market will be, "What is the sum of £4,000,000 required for?" And when the people at Home read the statement of the honorable gentleman and see that he knows nothing at all about our finance—that he is taking double authority to raise the same sum of money—when they see that, and read those terribly untrue statements which appeared at the end of the Financial Statement, they will look with suspicion on the colony when they are asked to advance money to the extent proposed. The Financial Statement is absolutely misleading and inaccurate, and the people at Home will see that the Treasurer in making it attempted to throw dirt in the eyes of this House and of the people, with the view of leading the public to believe that his political opponents had not conducted the affairs of the country in a satisfactory way. They will be suspicious when they see that the honorable gentleman has put down as ordinary expenditure sums which he calls provincial liabilities, but which are not pro-

vincial liabilities, and which in reality he has no intention of charging against revenue. If we attempt to borrow this money which the honorable gentleman says we do not want—if we attempt to place such a loan as this on the market—it must be an utter failure. I shall, to the utmost of my power, resist the passing of the Bill in its present form. I shall resist the borrowing of £4,000,000, when the money is not required. I say that the honorable gentleman is bound to tell us definitely what he wants this money for. I hope that, for the reasons which I have stated, this House will absolutely decline to pass a Bill providing for a loan of more than £2,000,000; and at the proper time I shall move that the sum asked for be reduced to that amount. Of course it is quite unconstitutional and quite wrong for us to be considering this matter now, because we ought first of all to have decided how much money we required, and then to have decided in Committee of Ways and Means how we were to obtain it. I hope the House will reduce the amount, and not proceed further than the second reading until we have ascertained definitely how much money is actually required.

Sir G. GREY.—I have only a very few words to say in reply. The honorable member for Egmont has repeatedly said that the Estimates which we brought forward are his Estimates. I say they are not his Estimates. Everybody who knows anything at all about the matter must be aware that an estimate is made by the various public departments, and sent in to the Treasury, where the sum-total of the whole is ascertained. The Colonial Treasurer himself has no more to do with the Estimates than this bench has.

Major ATKINSON.—It is not so.

Sir G. GREY.—I say it is so. The honorable gentleman complains about other people's interruptions when they are ignorant of the question at issue, but nobody could be more lamentably ignorant of this question than he himself is. Of all the honorable members of this House, I find him to be the most ignorant respecting these things. As regards the Estimates, the only reason he can have for calling them his, is that we have not made any reductions in them. We have only failed to do so because we have not had time. I say that the honorable gentleman and his colleagues, in saying that these are their Estimates, have been dishonorably robbing the officers of the public service of the credit which is due to them. Strictly speaking, the real duty of a financial treasurer is to ascertain the best mode in which the revenue can be raised, and determine how it is to be spent. The honorable gentleman has never done that. He has never dared to grapple with the real question of finance. He has been satisfied to raise large sums of money by an unfair system of taxation, to enrich those who were supporting him, and yet he rails against those who attempt to put an end to a system of that kind. He says his Government told this House at once what they intended to spend on railways. It is said that intentions are very different from deeds. I could have got up and told the House what I intended to spend; I could have mentioned some

fanciful amounts which could never have been realized. The honorable gentleman knows perfectly well that such is the case, if any one of his estimates is looked at. He knows perfectly well that in no single case do they approach to what the result was at the end of the year. The honorable gentleman has continually challenged us, asking, "Can you contradict my figures? What can you say to my figures?" Why, his figures are the simplest sums of addition and subtraction. How can you contradict anything of that kind? There is no little girl or little boy who could not do that kind of work. I could not attempt to contradict his figures. With regard to provincial liabilities, and with regard to unauthorized expenditure, the honorable gentleman knows perfectly well that the difficulties against which we have had to contend were numerous. His statements were left in such a chaos that I had great difficulty in producing anything like order. We know that girls and boys are taught book-keeping and conducting accounts with imaginary correspondents. We found in the honorable gentleman's office printed papers headed "Provincial Liabilities." No doubt they had been prepared to lay before the House; but it now appears that these were imaginary accounts which the honorable gentleman was keeping. It was like a little boy sitting in London and conducting correspondence with Messrs. Chou-Chou and Co., of Calcutta, or trying to make up imaginary balances with Messrs. Graball and Co., of Dunedin. We, unfortunately, fell upon these accounts. We imagined we had come upon the accounts of the colony; they were kept with care by clerks, and printed by the Government Printer; but we find we were wrong. These accounts were fabulous things which this innocent child was keeping to practice himself in that book-keeping which he now boasts so much of. What more unfortunate position could a new Treasurer who found these things be put in? These things were found, and we considered them real accounts which had to be met; but, instead of that, they were the imaginary productions of a child. Well, I ask, ought the Government offices to be encumbered with such things? We supposed that these things were kept in proper order. There were so many thousands of pounds for the purpose of one bridge, so many thousand pounds for the purpose of another bridge, and so many thousand pounds for the making of roads in different places. These statements were carefully prepared, carefully headed, and printed: but now we are told that they were mere exercises, kept for amusement. We took them up as *bond fide* transactions. They did possess every element of truth, I believe; every one of these things that appeared on the Estimates had been promised. We have been told that they represent merely the result of conversations. But why were conversations put into print and into regular printed Estimates? I say it was our duty, coming into office, finding these promises made on behalf of the Government, to take them up and do our best to fulfil them. I say it was our plain duty to do it. If they are not to

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be fulfilled, let the House say so. We submit them to the House; but we say that if these Estimates are passed we pledge our word not to carry any one of them out which we may find on investigation ought not to be admitted. But I say that we have a right, and we are bound in duty, to investigate every one of these cases, and to do justice in each. The honorable gentleman had no business to leave such things behind him if they were to have no force or effect whatever. Again, with regard to the £300,000, the honorable gentleman knows well that there is no money to pay it. The fact is, that he knows as well as I do that he left the Treasury in the state I described to the House at the time. No railing on his part, no assertion of his own knowledge, and no declaration of his can remove the fact that he left the colony in a most perilous position. He knows that perfectly. No violence of speech, or overbearing manner, or insolent tone which has been adopted towards myself and others—an overbearing manner and tone that ought not to be used, and a trampling of everything under-foot—no proceedings of that kind can alter the state of the case. I have been for many years in the public service. It is known to every man in New Zealand that the accounts of this colony were well conducted. It is known to everybody here that the finances of many colonies have been placed in my hands; and I say that I never found finances in such disorder as those of the honorable gentleman. That is a fact which can be easily ascertained. Where is this £300,000? Why did he try to make his accounts square by paying the money in one day and taking it out the next? What would be thought of any private person or merchant who would do a thing of that kind? Everybody would say that it was wrong and misleading, and no person would deal with a firm which carried on transactions of that kind. I pledge my word to the House that, as far as I have been able to ascertain the public affairs, there is no fund out of which to pay this £300,000. There are enormous sums for interest falling due within a few weeks from the present time, and no fund has been provided to meet those enormous demands; and that the honorable gentleman knows well.

Major ATKINSON.—No, he does not.

Sir G. GREY.—He ought to know it. I believe some arrangement was made by which the money might be borrowed. I have no doubt that, on the security of the colony, funds might be borrowed to meet demands of that kind. But that is not prudent statesmanship. He knows as well as I do that no provision has been made to meet this demand.

Major ATKINSON.—No, I do not.

Sir G. GREY.—He ought to know it. He knows that no provision has been made to meet this £300,000. He knows that in the Consolidated Fund at the present moment there may be £60,000 or £70,000 to meet all demands. At the present moment, the Public Works Fund is almost entirely exhausted, with an expenditure of £27,000 or £28,000 a week going on. The honorable gentleman knows that perfectly well. He does not hesitate to stand up in this House

and make statements which he must know are misleading the country. He makes those statements in a manner and tone which I cannot but lament—a manner and tone which ought not to be adopted. It cannot be convincing; it can have no effect. To contend, in the arrogant manner and tone adopted by the honorable gentleman, that we know nothing of the state of the country's affairs is pure nonsense. We have the same advisers about us that made him, or tried to make him. We have them about us, and I say these are the people from whom he drew all his information, and from whom we can draw all the information they possess. It will be found that the statements I have made are perfectly accurate in every respect. I told the House that there is now being printed a statement showing every item of expenditure and of revenue upon the basis which I presented to honorable members a few nights ago. That statement has been prepared with the greatest possible care. In the same way, every statement we have laid before the House has been laboriously worked out by several persons with the greatest possible care. I say that the statements themselves are simple—that they are really nothing but sums in addition and subtraction; and I say that these figures are as correct as his own. We have drawn deductions from them which were correct, while his deductions were not so. We cannot profess to pay money when it does not exist. I say that, if any other Ministry were in power and made the statements which we have made to the House, I would not stand up, or dare to stand up, and say there are sums of money I was able to pay when I knew well that the money could not be paid. The honorable gentleman must know as well as I do that there are no means to pay the £300,000. He must know that we could not rely upon that sum as being available to carry out public works in addition to the £1,500,000 which is asked for. What I ask the House is this: If there are no means of paying this £300,000, how are the works to be carried out? There is no hope of obtaining that money. If this money could be obtained, why did the late Government pay it in one day and borrow it again the next? I could do the same thing and square the accounts. But the question is, how to provide funds to meet existing engagements. The honorable gentleman talks about my using the words "discreditable debt." I did not say that. I did not use language of the kind. I said that it would be discreditable to this House, and that it would be a discreditable thing for the country, if this Government were left unable to meet their just debts. That is what I said.

Mr. McLEAN.—The words used by the honorable gentlemen were, "encumbered with obligations of a discreditable kind."

Sir G. GREY.—I said that I should not and ought not to be left encumbered with obligations of a discreditable kind. I said that if we could not pay our debts we should be left encumbered with obligations of a discreditable kind. How could any man imagine that the simply saying how much money was wanted was a discreditable thing? What was there discreditable?

able in saying money was wanted? I used no argument of that kind. I said this, and I say it again: that being left unable to discharge the obligations which this colony ought to pay would be to leave us encumbered with discreditable debts—debts reflecting discredit upon this House and the country; and I say there is no reason why I should not be placed above all want. At the beginning of next session of Parliament provision must be made for a complete change in the incidence of taxation, and no country will venture upon a question of that kind unless the Government of the country holds in its hands adequate funds to meet the emergencies of the moment. I say that justice to the people of this country, who are unfairly taxed at the present moment, demands that we should be put in a position which will enable us to adjust taxation upon the different classes of the community in that manner in which they ought fairly to bear them. Those who wish to see that end accomplished will place the necessary means at my disposal to accomplish it with safety and to the benefit of this colony.

The Bill was read a second time.

On the motion, That the Bill be committed presently,

Major ATKINSON said,—Sir, I understand that the object both of the honorable gentleman and myself is, that the country should understand what is our real financial position. Reducing statements to proof is, I know, a very unpleasant operation to the honorable gentleman and to those on his side of the House, but I am presently going to ask the honorable gentleman to assist me in passing two resolutions. The first is, That it be an instruction to the Public Accounts Committee to ascertain whether it is reasonable to estimate that the consolidated revenue will be able to repay the £300,000 borrowed, under the authority of "The Public Revenues Act, 1876," from the Public Works Account, by the end of the financial year. Then the House will be able to judge between the honorable gentleman and myself in that respect. I shall also move, That the Committee be instructed to ascertain whether the late Treasurer had made or proposed sufficient provision in his Financial Statement to meet all the financial requirements of the year. Those two resolutions cover the whole of the questions in dispute between us. He says that when I quitted office I left the Treasury in a disgraceful state—that I had made no provision in cash for the coming year or to meet any of the liabilities of the colony. Let us have a report of an impartial Committee on the subject, for it is quite useless that he and I should continue to bandy words here in this House. I say, judging by the statement of the honorable member, that he is quite incompetent to express an opinion on this subject, and I shall give an instance to prove what I say. The honorable gentleman tells us that when he came into office he found a carefully-prepared printed paper, headed "Provincial Liabilities;" but I have explained that already, and the honorable gentleman knows that my explanation is correct. I can only say, now,

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that I regret I showed the usual courtesy from an outgoing to an incoming Ministry by leaving papers in the office. It will be a caution to me when I next go out of office—(Oh, oh.) Well, I will put it more generally: It will be a caution to all gentlemen going out of office in future to look well to the gentlemen who are likely to follow them, before they leave any papers behind them that might assist their successors. As I have before told the House, I prepared this paper, headed, as the honorable gentleman says, "Provincial Liabilities"—prepared it very carefully, and had several revisions of it, with a view of submitting it to the Cabinet in order to ascertain, in accordance with what was said in the Financial Statement, which of the votes we should recommend to the House to be re-voted. That was the explanation I made in the House. The honorable gentleman should have told the House that I did so, and should not have pretended ignorance on the subject. He could have ascertained from the permanent officers exactly what that document was if he had asked them. But he did not ask them for an explanation; the Public Accounts Committee asked for it, and they got a full explanation of the matter. To show how absolutely inaccurate the honorable gentleman is, he curiously mixes up these Provincial Liabilities with the Supplementary Estimates for Public Works, as if they were one and the same document, and had been left in my office.

Sir G. GREY.—I did not allude to the honorable gentleman's office, because the documents came from several offices.

Major ATKINSON.—The honorable gentleman distinctly alluded to my office, because he said I had been spending my time in writing to Mr. Chow-Chow, of Calcutta, and Mr. Graball, of Otago. This paper was in my office, and was sent to the Public Works Office for review before submission to the Cabinet. Then, with regard to the second document, the Supplementary Estimates for Public Works, the honorable gentleman knows perfectly well how those documents are made out. Some gentleman writes from his district, and points out to the Government that there is a work of great importance that ought to be carried out there, and asks if the Government can do it. The Minister considers it, and then brings it before the Cabinet to determine whether it shall or shall not be recommended. Knowing that those honorable gentlemen would be in a considerable difficulty, not having had experience of public office for years, we thought it would be our duty to facilitate public business, and we therefore left these papers, prepared as they were for the consideration of the various Ministers in the Cabinet. And yet the honorable gentleman makes up a story out of these provincial liabilities and the other document. I ask, then, what reliance is to be placed on that honorable gentleman's statements? I shall not trouble the House further, but I shall ask the honorable gentleman to assist me presently in passing these resolutions, so that we can get an impartial judge, and the House and the country can judge between us. I shall not oppose the committal of the Bill presently.

Sir G. GREY.—In reply, I beg to say that I shall not assist the honorable gentleman in passing his resolutions, and I will tell you, Sir, why. The honorable gentleman says that the matter should be submitted to an impartial Committee. It will be in the recollection of the House that when the Finance Committee was formed at the beginning of this Parliament I objected to its composition. No member of my side of the House was allowed to be on it; and I then stated my conviction that if another Government got into power that Committee would be used to embarrass it. That will be found reported in *Hansard*, and what I then foretold is exactly what has taken place. I will not be a party to submitting this question to such a Committee. Let it be fought out in the House and in the face of the country, where the debate will go forth and be known, and not in the room of a Committee, in part packed at the beginning of this Parliament, as I said at the time. I absolutely tried to get a member from my side of the House put on the Committee—

Major ATKINSON.—I put him on.

Sir G. GREY.—He was not put on till afterwards, and then it was I who had him appointed. So far from what the honorable member says being correct, it is absolutely fabulous. It was proposed that I should be put on the Committee, but I refused to go on a hostile Committee, unless some one from my side should accompany me; and I was the person who got the honorable member for Auckland City East put on the Committee, and not the honorable member for Egmont. And then for the honorable member to stand up here and propose that this question should be submitted to such a Committee—

Major ATKINSON.—We can soon get over that difficulty. Propose your own Committee.

Sir G. GREY.—I shall not answer the honorable member. He is always trying to challenge and talk across the House, which is a most improper proceeding.

Mr. SPEAKER.—There is no doubt that these interruptions, and talking across the House, are very unparliamentary, and should not be resorted to.

Major ATKINSON.—I apologize to the honorable member for interrupting him.

Sir G. GREY.—I shall not agree to any Committee of the kind. I say a Committee is a secret body—there are no reporters present to report the proceedings for *Hansard*, and the discussions are not heard. On many occasions I have been obliged to agree to things in Committee which filled me with repugnance, and I was made apparently an acquiescing party to them. Let the question be openly discussed in the presence of Parliament, with reporters to report to the country what is said. That is the proper place; and any individual who is confident that he is right, and who would maintain what is just, and right, and true, will not seek to appeal to a Select Committee, the proceedings of which are not divulged beyond the precincts of the room in which it sits. I shall not agree to anything of the kind.

Bill ordered to be committed presently.

Major ATKINSON.—I hope the House will allow me to move two resolutions without notice.

Mr. STOUT.—The honorable gentleman cannot move these resolutions without giving notice.

Mr. SPEAKER.—The honorable gentleman has a perfect right to appeal to the indulgence of the House, and the House, if it chooses, can refuse to allow these resolutions to be moved.

Major ATKINSON.—My object is to obtain an inquiry. I must say that, if the Public Accounts Committee is what the Premier says it is, he ought to ask the House to put other honorable members on it, in order to make it a satisfactory Committee.

Mr. STOUT.—I rise to a point of order. Can the honorable gentleman make a speech when there is no motion before the House?

Mr. SPEAKER.—I do not think the honorable gentleman has proceeded so far as to make a speech. He is merely explaining why he thinks he has a claim to the indulgence of the House.

Major ATKINSON.—I was remarking that, if the Public Accounts Committee is what the honorable gentleman represents it to be, he ought to take steps to get it altered, because that is a Committee upon which the country places great reliance. I believe there is not a shadow of party feeling about it. But I will get over that difficulty at once. I will ask the House to permit me to move this resolution, and I will confer with the honorable gentleman, and select a perfectly fair Committee. If the honorable gentleman does not care to do that, I am perfectly willing to leave you, Sir, to select the Committee. I hope the House will allow me to move this resolution.

Leave refused.

On the motion, That Mr. Speaker do leave the chair, in order that the House might go into Committee on the Bills,

Mr. McLEAN said,—We have witnessed a spectacle to-night which reflects little credit upon the Premier of the colony, the leader of this House. When the honorable gentleman was on this side of the House no other honorable gentleman transgressed the rules so frequently as he did, but it was not to be expected that he would continue to set such an example occupying the high position he fills at present. Who can believe his statements when he defies inquiry? He says the Public Accounts Committee is packed. The fact is, seven members belong to one side of the House and seven to the other. Here are the names:—Major Atkinson, Mr. Curtis, Mr. Johnston, Mr. Larnach, Mr. Montgomery, Mr. Murray-Aynsley, Mr. Ormond, Mr. Pearce, Mr. Rees, Mr. Reid, Mr. Reynolds, Mr. Stafford, Mr. Stevens, Mr. R. G. Wood. How dares the Premier get up and say that the Committee is packed? Let him put on as many members as he likes from his side of the House and consent to the inquiry, if he has any belief in his statement. I challenge him to make the inquiry; but he declines, because he knows there is no truth in it. I therefore hurl back the honorable gentleman's insinuations. With regard to this £300,000, upon which he appears to base all our delinquencies, nobody knows better than he does himself that it is required to hide a deficiency



caused by his peculiar system of finance. He knows very well that when we come to the 30th June the revenue of the colony will be perfectly well able to return that money to the Public Works Department. Then the honorable gentleman says he was encumbered with transactions of a discreditable kind. This evidently refers to the £1,000,000 borrowed from the banks, and he endeavours to get the House to assent to a £5,000,000 loan, which it virtually is, instead of a £4,000,000 loan, because he can re-borrow that £1,000,000 again. The honorable gentleman knows that his proposal is equal to asking authority to borrow £5,000,000, but he does not think it beneath him to throw dust in the eyes of the members of this House. I will not weary the House now. In Committee I will endeavour to prove that £4,000,000 is not required, and that £2,000,000 will be ample for the requirements of the colony.

Mr. FOX.—I cannot resist expressing the opinion that I never heard anything more improper or indecent in this House than the allegation of the honorable gentleman at the head of the Government, that the Public Accounts Committee is a "packed" Committee. I consider that a most indecent statement, coming from a gentleman occupying such a high position. The Waste Lands Committee, the Public Accounts Committee, and the Gold Fields Committee are Committees carefully selected for the purpose of investigating facts and figures, examining witnesses and papers, and conducting inquiries as they could not be conducted in this House. They have always been looked upon as being far above suspicion, and never before in this House, during the twenty years I have been a member of it, have I heard any imputation made against the Public Accounts Committee, even by Opposition members. To cast a slur upon such a Committee, composed as it is of the gentlemen whose names were read by the honorable member for Waikouaiti, is most indecent, improper, unbecoming, and contemptuous on the part of the honorable member. The honorable gentleman says, "Let all these things be fought out on the floor of the House, within hearing of the reporters." The honorable gentleman knows as well as I do that inquiries of this kind, relative to figures and public accounts, cannot be investigated on the floor of this House. In order to decide the point at issue between the honorable member for Egmont and the honorable gentlemen on those benches, it is necessary that papers containing columns of figures should be submitted to the Committee, and that officers of the Treasury should be examined and cross-examined—a process which could not be carried on on the floor of the House, and would be improper if it could. No, Sir; the fact is, it does not suit the honorable gentleman to bring any of the charges he makes to the test of a Select Committee. In those instances when he has brought charges he has invariably broken down. The charges he made against Mr. Whitaker were not only refuted to the utmost, but the Committee reported that the Government was indebted to Mr. Whitaker for compensation for what he had done. The same thing has occurred with re-

gard to other matters; and so here—it does not suit the Premier to have this question referred to the Public Accounts Committee. Only the other day, according to what we hear in the lobbies, it was said that the Public Accounts Committee wished to investigate the allegation of the Colonial Treasurer, that we were spending £1,900 a day more than our income. They wished to call before them the Colonial Treasurer, as being the person who made the statement, and they wished to examine him as to the facts and figures by which he was prepared to support it. But the honorable member was sick at his own house, and excused himself from attending before the Committee on that ground. That was what was said in the lobbies, and we all sympathized with him. Being unable to leave his own house, it was said in the lobbies that the Committee were prepared to go and talk to him there; but next day it was stated that the honorable gentleman had gone to Nelson upon the advice of his medical adviser. That is the kind of way in which those honorable members make allegations which will not bear investigation, and when they are challenged, before a tribunal which is above all suspicion, they are not "game" to appear to defend their own statements. Now, Sir, I maintain that I have never heard a more indecent allegation made in this House than that made by the honorable member at the head of the Government—namely, that the Public Accounts Committee was a "packed" Committee, and a tribunal before which no honorable man could go and expect to get justice in any inquiry that might be instituted.

Mr. MACANDREW.—I do not know that I ever heard a more indecent insinuation made in this House than that which has just been made against the Hon. the Colonial Treasurer. I will state the facts of the case: It is said the Colonial Treasurer went to Nelson in order to escape this investigation by the Public Accounts Committee. Now I know that the Colonial Treasurer went to Nelson without being aware that his presence was required by the Committee, or that there was anything being investigated which might require his presence. I can say that he made all his arrangements for going to Nelson, and that, in fact, he had gone to Nelson without its being intimated to him that the Committee required him. On the day on which he sailed, the Chairman of the Public Accounts Committee (Mr. Curtis) met me and asked me whether the Colonial Treasurer could attend a meeting next day, and I replied that he had left for Nelson. There is not the slightest foundation for the insinuation that the Colonial Treasurer went to Nelson in order to escape this investigation, or that he knew anything at all about it before his departure.

Mr. REES.—Sir, I have noticed that in the making of charges of using unparliamentary language one member of the House takes a leading part. He is not content to allow other persons to fight their own battles. He must come forward on all occasions: and yet he talks about indecency. I should like to know whether that honorable gentleman has any right to know what takes place in a Committee of which he is not a member. Why, Sir, if the grey hairs which come

Mr. McLean

with old age do not give wisdom they simply bring on the person who has them derision. I should like to know what is more indecent to this House than for a person who does not belong to a Committee to presume to state what goes on at meetings of that Committee. Honorable members have come to this House for the first time, and heard the name of the honorable member for Wanganui referred to as that of one who had been in this House for twenty-five years, and they have been ashamed to hear the honorable gentleman speak as he has spoken. It seems to me that the honorable gentleman is aiming to destroy the reputation he once had, and tries to show how slight is the foundation that reputation is based upon. He has made charges of misconduct against members of this House without knowing what he was talking about. If it had been a member of the Committee who had told the House what went on at Committee meetings it would have been indecent, but for a gentleman who is not a member of the Committee to do so is more than indecent. What right has he to say what goes on at a Committee meeting?

Mr. FOX.—A perfect right.

Mr. REES.—A perfect right. I suppose it is because the Colonial Treasurer likened him to a harlequin that he has referred to that honorable gentleman in the way he has done. It is a strange fact that all the old leaders in politics in this country seem simply to be desirous of destroying themselves in the eyes of the people. We have seen the honorable member for Wanganui, and other honorable members who for years past have led the House in relation to political matters, day after day and week after week get up in this House and make statements which lower them in the eyes of the people. The honorable member for Egmont gets up frequently in this House, and every time he rises he challenges somebody to say or to do something; and then we hear the honorable member for Wanganui following suit. Every time he gets up he makes charges against people which are founded on ignorance, and not on facts. The purpose that the honorable gentleman is answering here is to show how utterly useless a man may be, although he may have a great name. Except in relation to one Bill, which the action of the honorable member himself did more to strangle than that of any other honorable gentleman, he has taken no active part in any measure which has come before the House.

Mr. SPEAKER.—I think the honorable gentleman should not refer to a previous debate.

Mr. MACFARLANE.—We have been listening for the last few minutes to nothing but personalities.

Mr. SPEAKER.—The honorable gentleman is out of order.

Mr. REES.—I am sorry the honorable member for Waitemata should interrupt me, for I have never interrupted him, and I have never abused him. I am not in the habit of abusing anybody who does not abuse other people, but when an honorable member gets up as the honorable

member for Wanganui has done, and goes out of his way to make against others charges which have no foundation, I am always happy to be able to get up and say that he is not speaking facts. I do not believe there is a single measure excepting one regarding which the honorable member for Wanganui has given the House or the colony any information. I may here say that it was a piece of gross impertinence on the part of the Public Accounts Committee to attempt to examine the Colonial Treasurer at his own house. I have also to say that the honorable member for Dunedin City (Mr. Larnach) did not go away simply because he expected to be examined by the Committee. As far as the Public Accounts Committee is concerned, I must state my belief that within the last few days absolutely partisan action has been attempted to be carried out by that Committee simply on the motion of the honorable member for Egmont. I think that at this late period of the session we should let this matter drop. During the past few days I have refrained from speaking in the hope that the business would be proceeded with. I think the honorable member for Wanganui may rest satisfied, and allow himself and his political life to be buried in oblivion.

Mr. ORMOND.—Reference is being constantly made to the constitution of the Public Accounts Committee, but with that I will not deal. I will, however, state to the House that the Public Accounts Committee has had under its notice the question raised in the statement of the Colonial Treasurer as to the alleged deficiency of revenue in the colony, and also his statement that this colony was going to the bad at the rate of £1,900 a day.

Mr. MONTGOMERY.—I should like to know, as a point of order, whether it is right for an honorable member to state what takes place at Committee meetings.

Major ATKINSON.—Before you give your ruling, Sir, I should like to call your attention to the fact that members of the Committee have been accused of taking partisan action.

Mr. SPEAKER.—No doubt it is very irregular to state in this House what takes place in Committee, but at the same time a very distinct charge has been made against the Committee, and it might be advisable under the circumstances to hear any explanation that may be given.

Mr. ORMOND.—I shall not trespass unduly, Sir. I was merely stating what was before the Committee. If there has been any partisan action on the part of the Committee I am not aware of it. Myself and the other members of the Committee have the interests of the colony at heart, and I think, with others, that the statement which the Colonial Treasurer made, to the effect that the revenue of this colony is below the ordinary expenditure, and that there is a deficit of about £700,000 a year, or £1,920 a day, is utterly unfounded and incorrect. That matter has been submitted to the best body in this House—a body which is in a position to inquire into it. I have no doubt that the statement of the Treasurer is utterly unfounded and incorrect, and that in making that statement—

Mr. W. WOOD.—I rise to a point of order.

Mr. ORMOND.—I did not expect the honorable member to interrupt me in that way.

Mr. W. WOOD.—Probably you did not. The honorable gentleman has told us of a matter which the Committee has had before it to investigate. I have asked the Chairman of the Committee if the particular question to which the honorable member for Clive refers was remitted to the Committee for investigation, and I am informed that it was not. I wish to know whether the honorable gentleman is justified in stating to the House what is done by the Committee in the matter.

Mr. SPEAKER.—That is not at all a point of order. At the same time, I hope honorable members will not refer particularly to that question.

Mr. ORMOND.—When I was interrupted I was referring to a statement which was made by the Hon. the Colonial Treasurer, which statement I considered was damaging to the colony, and should not have been made by any gentleman on the Government benches, or, in fact, by any member of this House. It is a statement which is not correct, and which will be hurtful to our credit to a degree which we have yet to ascertain. I was referring to that statement because it appears to me that the borrowing power of the colony will be affected by it. It must be manifest to every one who considers the matter that that statement will have a serious effect on the money-lender at Home. After making such a statement as that which he has made, the honorable gentleman intends to go Home and ask the capitalists in England to lend us £4,000,000. I say that that is a wrong position to take up, and one which cannot result in anything but disadvantage to the colony, and our position as borrowers will be seriously interfered with by it. I should probably not have risen to speak but for the statement of the Hon. the Premier about public works and the Public Accounts Committee, but as I am on my legs I will take advantage of the motion. That you do leave the chair for the purpose of going into Committee, in order to say briefly what my general objection is to this proposal to borrow £4,000,000. I hold that it is entirely unnecessary for this House at present to give authority to borrow any such sum. The Premier, in recommending the Bill to the House, told us that it was not the intention of the Government to borrow more than is absolutely required at the present time, and he also led us to understand that the whole of the money would not be borrowed at once. Considering our position, I think it would be very unwise indeed to give authority to the Government to borrow more than we want at present, and I trust that in Committee the endeavours to reduce the amount of the loan to what is absolutely required will be successful. The honorable gentleman in his remarks said it had been advanced on our side of the House that a scheme ought to have been brought down for the completion of the public works, and that if such had been done we would agree that a large loan might be advantageously taken up. It is quite true that a great many honorable gentlemen in the House well

qualified to give an opinion on the subject have advanced that opinion, and it is one with which I entirely agree. We quite agree with the honorable gentleman that neither his Government, nor any Government, would at the present moment be in a position to bring down any such proposal, because there are not the necessary data upon which to found an application to the money-lender for a very large sum of money. But I take it that, because we are not in a position this year to give information which we believe to be necessary before we can go to the money market to borrow a large sum, that is no reason why we should give the honorable gentleman authority to borrow to the extent of £4,000,000. The amount that is absolutely wanted, including the Estimates of the Government, is, at the outside, £2,500,000. Our proposal was for a loan of £2,000,000. The present Government have, by various items of expenditure, which I need not now go into, increased that sum to £2,500,000—mainly by those items which have caused so much discussion in this House, namely, the provincial liabilities, which we dispute, and other items of a like nature. But I hold that the House ought not to give authority to the Government to borrow any larger sum than is absolutely required for the services of the colony, and the honorable gentleman has not made out a case why such authority should be given. He did give us some figures, and, so far as I was able to follow them, they go to show that, in regard to the item on account of which loans can be most advantageously raised at Home, and for which the money-lender would advance the colony money on reasonable terms—namely, public works—the Government proposed to borrow £1,500,000, the expenditure of which would be extended over a period of eighteen months. I would point out to the House that, if the proposal of the honorable gentleman is not to go on with public works, but to check them, this expenditure now proposed is an entirely new feature in the policy as we have had it from the Government benches. The Government have, as I understand, adopted the Estimates of their predecessors, particularly their Public Works Estimates. Under the Estimates of the late Government for immigration, public works, railways, roads, land purchases, lighthouses, and all the various items which come under the Public Works Loan, there is a total expenditure of £2,067,000. There was on the credit side at the commencement of the financial year £980,000, leaving a sum absolutely required within this year of £1,087,000. Then we had from the present Government Supplementary Estimates to the extent of £200,000. Supposing the Government are going on with public works in the same way as we were, and with the same speed, that means that there will be expended on those items £1,287,000. Now the Premier told us in his address to-night that in borrowing this four millions of money he proposes that £1,500,000 shall be appropriated to public works and immigration for eighteen months. In other words, the difference between £1,287,000 and £1,500,000 is to be the sum that is to be applicable for the six months and the coming year to public works in

Mr. Ormond

this colony. I heard that statement with considerable dissatisfaction, and I do not think the Government are making anything like a reasonable provision for public works during the next eighteen months. Their proposal would mean an absolute stoppage of public works, and it seems to me to indicate either that the Government have not considered the proposal they are making, or that their scheme must be exceedingly unsatisfactory to the colony. This point in the honorable gentleman's speech was so eminently unsatisfactory that I cannot allow it to pass without calling the attention of the House to it. I trust that when we go into Committee the amount authorized to be borrowed will be reduced; and we shall on our side ask those honorable gentlemen who support the Government really to give some reasons—for we have had none yet—why such a large sum as is proposed should be borrowed. To have a Bill of this character brought down—a shell Bill—without any details at all, and to have such an explanation as we have heard from the Premier, who tells us simply that we are to give him £4,000,000, to be used as he likes, without even a schedule to tell the House or the country what the money is to be used for—such a course is, I say, an unheard-of instance of a Government asking consideration from the House in a matter of this kind.

Mr. STOUT.—The honorable gentleman who last spoke and the honorable member for Wanganui (Mr. Fox) have not shown any desire whatever to consider the time of honorable members in this House. This afternoon and to-night they have got up debates, and the honorable member for Egmont has got up two speeches on the same question. Then we had the honorable member for Waikouaiti and other honorable members all talking about the same thing—that the amount of the loan should be reduced. Why cannot they move that in Committee? The last argument used is the most extraordinary I ever heard—namely, that, because the Government propose too little for public works in their loan, therefore the loan should be reduced; and yet it is not desirable to stop public works. However, I did not rise to speak upon that point, but to refer to the Public Accounts Committee. If the honorable members on that Committee have been investigating, as they say they have, the statement made by the Colonial Treasurer, then they are exceeding their functions.

Mr. MACFARLANE.—I rise to a point of order. As one of the Committee, I protest against any honorable member dictating in this House as to what that Committee shall do.

Mr. STOUT.—I submit that that is not a point of order.

Mr. MACFARLANE.—I wish to know whether an honorable member can dictate to the Committee what it should do.

Mr. STOUT.—The honorable member has no right to interrupt me like this.

Mr. SPEAKER.—The honorable member for Waitemata has not yet stated his point.

Mr. MACFARLANE.—I rose to a point of order, and I said that the honorable member was

dictating to the Committee, and saying that they had investigated matters which they had no right to investigate.

Mr. SPEAKER.—That is not a point of order.

Mr. STOUT.—I am quite right. The honorable member is very touchy on the question. I say, again, that if the Committee are investigating a statement of the Colonial Treasurer they are doing an illegal and improper thing, and ought to be ashamed of themselves. I shall read a statement in which the then Colonial Treasurer laid down what the functions of the Public Accounts Committee were. I remember the occasion perfectly, and I recollect that the then Treasurer was loudly cheered by the honorable member for Egmont when he gave utterance to this statement:—

“No Government, in his opinion, should submit to subject its financial matters to the political consideration of a Select Committee; and time after time in that House, in former years, Select Committees to inquire into financial proposals of the then existing Governments had been resisted, and had been understood to be attacks upon the financial policy of the Government.”

That was what was said when this Public Accounts Committee was appointed; and in another speech by the Treasurer (Mr. Vogel) this also was said:—

“In his opinion the Government ought not to consent to be tried by Committees. If there was a *prima facie* case against a Government, necessitating examination before a Committee, such a Government ought to cease to exist.”

That was cheered by the members of the then Government, and by the honorable member for Egmont; and Mr. Vogel also said that the Public Accounts Committee had nothing to do with what appeared in the Financial Statement. If honorable members will look at the Journals of the House for 1870, at pages 43 and 52, they will there see it laid down what the functions of the Public Accounts Committee are—simply to examine the public accounts, and to have nothing whatever to do with the Financial Statement of the Colonial Treasurer; and if this Committee are investigating the Financial Statement of the Colonial Treasurer they are doing so for party purposes, and they are doing so contrary to the rules that were laid down in 1870, and which have always been acted upon by the Public Accounts Committee since. And I say that they are doing an illegal and improper thing. The late Colonial Treasurer knows it, and he and his Government were the very parties who protested against the Public Accounts Committee of 1875 or 1876 daring even to investigate their own totals. The only matters they had to investigate were simply, as laid down in the Journals to which I have just referred, the public accounts of the colony, and any quarrel between the Treasury Department and the Auditor, or between the head of the Treasury Department and the political heads. And yet, Sir, members of this Public Accounts Committee—unable to meet the present Government in this House, unable to discuss the finances of the colony in the House, unable to meet argument by argument in the

House—go away to a Committee, bring forward and discuss their matters secretly—

Mr. MACFARLANE.—I rise to a point of order. Surely, Sir, the Committee are not obliged to submit to insinuations of this sort. Surely that cannot be right.

Mr. SPEAKER.—The honorable member is not out of order.

Mr. STOUT.—The honorable member is very touchy. If he wishes to find out what his duty is as a member of the Committee, let him go to the Journals, and his common sense will tell him that he has been misled if he is taking part in any such investigation as I have pointed out. If the Public Accounts Committee intend to go on in this way, it is time they were discharged. They are acting contrary to the rules laid down when they were appointed, and contrary to the rules under which the Committee have always acted in the past. The thing is perfectly transparent, and I am very glad to have had an opportunity of saying what I have done, for I have heard rumours in the lobbies about how they are going on with their investigation. Then, as to the remark of the honorable member for Wanganni about the Colonial Treasurer having to go to Nelson, that is a most uncalled-for thing. We have it on the very best authority that, before ever they asked him to attend the Committee, or before his colleague was asked whether or not he could attend, he had gone to Nelson; and yet a sneer was put forth, and an insinuation that he was shamming sickness—for that is what the sneer amounts to—in order not to attend before this august tribunal the Public Accounts Committee. Such a statement as that is quite uncalled-for, and no person of fine feeling, as I will put it, ought to have made it in this House.

Mr. GIBBS.—Sir, I do not often rise to address you on the subject of finance, and I have no idea of doing so this evening. I am prepared to rank myself among those honorable gentlemen who are so frequently alluded to by the honorable member for the Thames (Sir G. Grey) as persons of only ordinary intelligence; and, with that ordinary intelligence, of which I claim to be possessed, I fancy that I can understand the figures that have been so repeatedly laid before us and so repeatedly put forth here by the late Colonial Treasurer; but I altogether fail to be convinced by the arguments adduced by the Hon. the Premier, if I can call them arguments, because they seem to be nothing more than what I might term flowery and humorous speeches, which contain nothing argumentative, nothing that can at all convince that ordinary intelligence I refer to, but merely, as has often been spoken of in the House, to be so much dust thrown in my eyes, that would prevent me seeing, perhaps, the points of what is supposed to be the argument the honorable member adduces in reply to those clear statements of the late Colonial Treasurer. There is nothing convincing about such statements. What I rose to say now was, that those honorable gentlemen who, like myself, do not pretend to be financiers, when very serious accusations are made against the members of the late Government so frequently by the honor-

able member for the Thames, cannot but feel some considerable surprise at the refusal to give honorable members who, like myself, desire to be convinced, a chance of being convinced by the only means that are at our disposal—the refusal to aid the House in having the accusations elucidated by the Public Accounts Committee. I cannot but feel that the refusal implies that the honorable gentlemen do not believe what they themselves say here. I cannot help but feel that. It was only with that feeling that I rose to say a few words. I cannot conceive how those gentlemen can defend their position when they refuse this House the only means it can possibly have of clearing up those accusations and counter-accusations that are so frequently placed before us. I cannot help feeling that the statements of the late Treasurer have not been really answered by the Premier, and with that feeling I cannot say that I am surprised that the honorable gentlemen on that side of the House refused point-blank to allow this question to be inquired into and cleared up by a Committee the members of which—notwithstanding all the terrible statements that have been made here as to their partiality, statements that really I can hardly imagine could be made against any section of this House—were, from their peculiar fitness to perform the arduous duties which they have frequently been called upon to discharge this session, in a position to place before this House the facts in as clear a manner as possible. I think those gentlemen might have had the opportunity of deciding whether the accusations made were correct or not. I regret very much that honorable gentlemen, like myself, who would like to be enlightened, have no chance of being informed as to the correctness or otherwise of the statements so frequently put forth.

Mr. MONTGOMERY.—I wish to say one or two words upon a matter which has been brought before the House, as I think, somewhat unnecessarily. I wish to say that the motion of the honorable member for Egmont for the Public Accounts Committee to inquire into the differences between him and the honorable member at the head of the Government, and as to the statements they have made in this House, is out of the question altogether. We have had statements made by the honorable member for Egmont when Colonial Treasurer, and never called upon a Committee to inquire into them. I feel bound to say that such a proposition would have been met with derision, and, if the honorable member is not treated with that respect which is due to his position as leader of the Opposition, it is only retribution. It has been said that the Public Accounts Committee is a partisan Committee, and will not do justice. Well, that is a very grave accusation to make, and if it can be substantiated the sooner that is done the better. The honorable member for Dunedin City (Mr. Stout) spoke warmly on the question. I do not think he was aware who are members of that Committee. The various accounts have been sent to that Committee, including the Provincial Liabilities Account, and the Committee in due course examined into those accounts. I suppose it is impossible, when party feeling runs high in this House, for each member

Mr. Stout

of the Committee to bring to the consideration of these matters a judicial mind absolutely free from all bias. There are members who may have a bias towards the Opposition, and there are members who bring their bias in favour of the Government. Perhaps to some extent they are evenly balanced. As to what has been said about this being a "packed" Committee, I will mention the names of honorable members who compose that Committee. There are on the Committee at present the Colonial Treasurer (Mr. Larnach), Mr. Reynolds, Mr. Reader Wood, Mr. Macfarlane, the honorable member at the head of the Government himself, the honorable member for Auckland City East (Mr. Rees). Those gentlemen are all supporters of the Government. Then there is on the Committee the honorable member for the Taieri (Mr. Reid), who was put on at the request and with the entire sanction of the members of the Government; so that there are eight members on that Committee who have no leaning whatever to the Opposition. Perhaps the honorable member for the Taieri may have a leaning towards the Opposition now, but I do not know that it would lead him to be unjust to the Government. There are, at all events, some members of the Committee who are against the Opposition, and who are generally inclined to the Government. These seven members are quite able to take care that no political matters shall be discussed on that Committee. If political matters should be discussed there, when the report of the Committee is brought up the whole question can be challenged in this House. I deprecate the idea that honorable members placed on Committees are actuated by any feelings of partisanship and would not give fair attention to the matters submitted to them. If that were the case, what is the use of appointing Committees at all? I have heard it stated that members of Committees were banded together to carry out their own views. From what I have seen, there is no disposition to import political matters into the Committee—they object to anything verging on political matters, and I say there will always be a sufficient number of members on the Committee to check or prevent political matters being introduced or discussed. I am convinced that the Public Accounts Committee will do its duty properly, and, if it does not, then will be the time for this House to say so. With regard to the question of the loan, I was prepared to give my vote in accordance with the views I expressed the other night. I will not go further into that matter. I rose simply to vindicate the Committee from the aspersions which have been cast upon it by the honorable member for Dunedin City.

Mr. STOUT.—The honorable member is mistaken. I never said it was a partisan Committee at all.

Mr. JOHNSTON.—It has been said that it is not the duty of the Public Accounts Committee to inquire into any statements put forth as to the financial position of the colony. I consider that this is absolutely the duty of the Committee: if not, I do not understand what the Committee was appointed for. We have heard statements made as to the expenditure being greatly in ex-

cess of the revenue, and the Colonial Treasurer has told us that we were spending £1,900 a day more than our income. It is surely the duty of the Committee to investigate such a statement, and ascertain whether it is accurate or otherwise. It is exceedingly to be regretted that Ministers, who ought to protect the credit of the colony in every way, should manufacture opportunities of repeatedly stabbing it, by publishing inaccurate comparisons between the ordinary revenue and expenditure, and by declaring to His Excellency, in an official communication, that we cannot afford to pay for the visit of Sir William Jervois, because we must save every penny to provide against the possibility of being assailed, with but little warning, by a dangerous internal enemy. Even the assertion that the consolidated revenue had to borrow £300,000 from the Public Works Account and could not repay it, and must provide for it out of loan, is an additional effort to depreciate the position of the country for which I can see no good reason. I would venture to suggest to the Government that they should accede to the request that the amount to be borrowed should be reduced to £2,000,000. I trust they will be content with only inserting in the schedule of the Act a sum sufficient to provide for payment on account of public works and for meeting the provincial liabilities. The money due to the banks is already provided for; and, since it is not necessary at once to meet the Treasury bills, and it is not a matter of importance whether the £300,000 is repaid to the Public Works Account this year or next, I hope the honorable gentleman will see his way to consent to a reduction in the amount to be borrowed.

The House went into Committee on the Bill.

Progress was reported, and leave given to sit again.

The House adjourned at half-past one o'clock a.m.

## LEGISLATIVE COUNCIL.

Thursday, 6th December, 1877.

First Readings—Second Readings—Third Readings—  
Waste Lands Sale Bill—Financial Arrangements Bill  
—Counties Bill—Disqualification Bill—Rating Bill—  
Consolidated Stock Bill—Loan Bill—Disqualification  
Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

### FIRST READINGS.

Counties Bill, Rating Bill, Consolidated Stock Bill, Public Revenues Bill, Lyttelton Harbour Bill, Queenstown Waterworks Bill, Loan Bill.

### SECOND READINGS.

Middle Island Half-castes' Crown Grants Bill, Hutt County Offices Bill, Public Revenues Bill.

### THIRD READINGS.

Maori Real Estate Management Bill, Mines Bill, Land Bill, Middle Island Half-castes' Crown Grants Bill, Hutt County Offices Bill, Public Revenues Bill.

## WASTE LANDS SALE BILL.

The Hon. Colonel WHITMORE.—This Bill is confessedly a temporary measure. Originally it was intended to come into operation on the 1st of January, and to continue in operation until the last day of the next session of Parliament. In another place that part of the proposal was struck out, and the temporary nature of the Bill does not now appear on the face of it; but it was introduced into Parliament as a temporary measure only. It may be gathered from the 4th clause that the Government intend to bring about a system of classification which will put all lands proportionately on an equal footing. In the Financial Statement recently delivered that was explained to be the intention of the Government, and it was decided on to a great extent in deference to the opinion of those honorable gentlemen who come from the Canterbury Province. Those gentlemen considered that the application of the policy of the Government, which deprived them of some portion of Land Fund, was peculiarly unfair to them, who paid so high a price for the land; and, a good deal out of consideration for them, the Government consented to revise the whole scheme of the disposal of the waste lands of the Crown, in order that it might not hereafter be said that one part of the country paid more money than another. But it is not a very easy thing to uproot habits and ideas which have been a long time fixed, and it is peculiarly difficult to assimilate the land laws of the different provinces, so different as they are in the matter of price and mode of sale; therefore it has been thought better to leave the system of sale practically intact, and to allow the lands temporarily to classify themselves by auction, except in districts where the system of free selection obtained. Free selection exists in very few parts of the colony, and it is not apprehended by the Government that raising the price to £2 an acre by free selection will, at all events during the ensuing half-year, make any material difference to the revenue. With regard to the upset price of £1, if, as is contended by settlers from Canterbury, there be any unfairness in placing the lands in Otago at a lower price than theirs, it is to be assumed that by auction the level of value will be found. But there is a saving clause by which the Board has power to put up any lands of special value at a higher upset price, as it may deem fit. I understand that it has been for a long time the practice in the Province of Otago that the lands put up for sale by auction have been offered at a higher price than £1, and I presume that, consequently, what will continue to be the nominal difference between the two provinces is practically very little indeed. They are already within 10s. of one another, and it is to be assumed that the system of auction will bring about a level of value, and possibly realize more than £2. The system of disposal of lands by deferred payment is not interfered with by this Bill. I do not think that in any part of the colony the land has been sold on deferred payments at less than £1 an acre. There is a clause which honorable members may have different opinions about, which has been added in another place. That is clause

*Mr. Johnston*

10, which extends the homestead system to the whole colony. I have only to say that that provision was not introduced by the Government, and the Government will leave it to the will of Parliament to decide upon that point. The Volunteer scrip extension provided in the Bill is another matter that has been introduced into the Bill. I have not heard the exact reasons why Parliament should so soon legislate upon a matter which has already been under consideration this session, but it appears to me that, if the saving clause is insisted upon, no material wrong will be done, and possibly it may be an encouragement to Volunteers. I do not think there are any leading features in the Bill which require particular comment. It deals with only certain particular prominent points of a wide subject, and it is not in itself a measure upon which the Government relies for its policy. It is rather a conciliatory proposal to harmonize the various injustices that were thought to exist under the system which I shall have to explain directly in connection with the Financial Arrangements Bill, and it is introduced as a compromise which it is not unreasonable to make. For, whatever opinions may be held by some with regard to the Land Fund, there can be no question that it is a very great sacrifice, from their own point of view, which the inhabitants of a considerable portion of the colony are called upon to make for the benefit of the whole of New Zealand, and we should be very chary of giving more cause than cannot be avoided of offence to, or any feeling of injustice among, people who have been deprived, at all events in their own opinion, of so much.

The Hon. Sir F. DILLON BELL.—I do not propose to criticise the Bill which we are now considering, because the honorable and gallant gentleman says it is intended as a temporary experiment, and, in fact, only the precursor of a more complete settlement of the land question next session. I shall make no objection to the Bill if the Government presses it: at the same time, I was under the impression that the proposal was an alternative to the Land Bill if the Land Bill should happen not to pass: and it appears to me it would be far wiser for us, on all accounts, to let the Land Bill remain as we have passed it for another year, so as to let the Government bring down a complete proposal to give effect to their financial policy next session. Most of us believed that what was intended to be done by the proposed free selection was, that the principle of the Canterbury land law should be extended all over the colony; but, on looking at this interpretation of free selection, my own impression is that it will have no appreciable effect either in increasing the amount of the revenue the Government will receive, or in altering the relations of the various provinces to each other in the course of the succeeding twelve months. If we consider the state of the surveys and the conditions of the land law in Otago, we shall find that there is no large quantity of land to be dealt with during the next six months, and it would be physically impossible, according to section 3, to bring any considerable quantity of land into the market in that time. Under the system of

deferred payments it might be attempted to open a considerable quantity of land in Otago; but the amount of compensation to be paid, and the very small quantity of good land available, make it impossible to suppose that any great increase will take place in the amount of revenue to be received. Supposing the Government presses this Bill, I hope the Council will take advantage of the opinion expressed by the honorable and gallant gentleman with regard to clause 10. I think it would be a great pity, just at the time we are passing a Land Bill consolidating the various interests concerned, suddenly to open the door to a system which, however successful it may be in the Province of Auckland, would be eminently unsatisfactory to the Middle Island, and would act injuriously not only upon private property, but on the revenue. If it should be now declared that first-class lands will be made available for selection without payment, it will immediately have the effect of stopping the sale of land. I believe the clause would be fatal to the interests of the deferred-payment system, and would cause very great and serious disturbance. If the Government had proposed this as a part of their policy, it would, no doubt, have received greater consideration; but being introduced at the last moment, without any one having an opportunity of weighing its effects, I will ask the Council to pause before they give effect to it. I repeat that the Government are unwise in interfering with the prospect of their own revenue. The difficulties of the Ministry are great, and, although it is a wise and enlightened policy to induce the settlement of people on the land, I consider that during the next year we must take what steps we can to insure that our estimates of land revenue are realized, otherwise we shall find ourselves in a position of the most serious financial embarrassment. If we declare that we are going to open first-class lands in the Middle Island on the homestead system without payment, a large class of purchasers will hold back, and there will be a very appreciable falling off in the receipts between the 1st January and the 30th June next. Holding these views, I shall be disposed to vote against the second reading of the Bill, but, at any rate, I shall try to excise the 10th clause.

The Hon. Captain FRASER.—I agree very much with what has fallen from the Hon. Sir Dillon Bell. I shall support the second reading of the Bill, but in Committee I shall endeavour to strike out the 10th clause. I am entirely against the system proposed in it, which would only introduce a class of paupers into the country. The deferred-payment system is answering remarkably well, and is settling the whole of the country in Otago; and the introduction of this proposed homestead principle will very much injure the deferred-payment system. I have heard it stated that it is not intended to give free selection under the homestead system all over Otago and Canterbury, but that it is to be confined to certain districts. If that could be done, and if it could be confined in Otago to our enormous forests, it might answer very well, and it might induce people to settle

there who would not do so unless they bought land; but for agricultural or even pastoral land I am strongly opposed to such a system. In Committee I shall assist other honorable members in throwing out the 10th clause as far as it affects Canterbury and Otago.

The Hon. Colonel BRETT.—I hope that this Bill, which is an integral part of the Land Bill, will not be disposed of until we know whether the Land Bill has passed through the other House. I am very much opposed to this Bill being passed now, and I shall move the adjournment of the debate to the evening sitting. I particularly object to the provisions of the 10th clause. However, as the feeling of the Council seems to be against me, I shall be content if the second reading be taken now, and the committal of the Bill postponed.

The Hon. Mr. HALL.—I think the Council should pause before it passes this Bill. I quite agree with the Colonial Secretary that this is part and parcel of the financial policy of the Government, and under these circumstances I think, as a mere matter of order, we should first ascertain whether we consent to the financial proposals of the Government, and afterwards consider the measures which are to give effect to it.

The Hon. Mr. HOLMES.—Before the Bill is read a second time, I wish to observe that there appears to be an indication of the insertion of a new element in our land laws with regard to deferred payments. Heretofore land open under the deferred-payment system was advanced 50 per cent. over the ordinary upset price. This land, valued at £1 per acre, was sold at ten years' purchase at 3s. per annum; but, by the 6th clause of this Bill, it seems that £1 is to be the price. That is not in accordance with the Bill we have already passed. It seems we are now to have ten yearly payments at 2s., instead of ten yearly payments at 3s. With regard to clause 10, it is intended that land shall only be given for homesteads in blocks to be set apart by the Government. If that is the case, the best lands in the country are not likely to be set aside for the purpose of homesteads, but land that would not be settled in the ordinary way, such as timber country, and land in such places as Stewart Island, Catlin's River, and other places which may suggest themselves to honorable members. I look upon it that we have before us simply a proposal to settle these places in a special manner, and I think, looking at it from that point of view, the clause should be retained, because it will not interfere with the ordinary good lands of the Crown, but would only refer to those portions of the colony where settlement would not take place unless peculiar advantages were granted. I intend to support the 10th clause.

The Hon. Mr. ROBINSON.—I am rather at a loss to find out what the Hon. Colonel Brett's object can be for attempting to postpone progress with this Bill—

The Hon. the SPEAKER.—I understand that opposition has been withdrawn.

The Hon. Mr. ROBINSON.—Not quite withdrawn. We are not going on with the Bill in so straightforward a manner as would be agreeable



to the Colonial Secretary. So far as I understand it, there is a stipulation that, after the second reading is taken, there shall be no further progress made with the Bill until subsequently—

The Hon. the SPEAKER.—There is no stipulation. There may be an understanding among honorable members; but I can receive no stipulation.

The Hon. Mr. ROBINSON.—I am glad that that is the case, Sir. I can only account for the honorable gentleman's action by supposing a complete change in his opinions. Only very recently he was continually complaining to the Council of the want of sanitary arrangements in Wellington, and expressed a desire to get out of the place; but now it seems to me he has taken a liking to Wellington, and wishes to stop here. Just when we come here to wind up business, he objects to business going on. I cannot conceive what this Bill has to do with the other Bill, although I am sure the other Bill will be passed. As to the 6th clause, which the Hon. Mr. Holmes has referred to, that will require a little consideration. I understood, and all honorable members understood, that land on deferred payments was to be sold at 50 per cent. in advance of the cash price—not merely 50 per cent. higher than the cash price, because, as I said on a former occasion, supposing land on deferred payments to be taken nominally at 50 per cent. higher, it is only really the same price as the cash price, if you take interest into consideration. The advance of 50 per cent., I suppose, is simply put on to make up something like the interest which the colony will lose. I shall not detain the Council at any length on the 10th clause, but I intend to support the excision of the clause in Committee. I do not think it was ever intended to apply to the Middle Island a system of which I doubt the success so far as the North Island is concerned.

The Hon. Mr. ACLAND.—I do not see that we can pass this Bill entirely at the present time under the circumstances, because it distinctly refers to the Land Bill, and this Bill is perfect nonsense supposing the other Bill does not pass. So far as this Bill itself is concerned it seems to me to give the Government too much power. It gives them power to work the lands of the colony up and down as they please. Why, the whole of the level country in Canterbury, for example, may be put up to auction, and then withdrawn and opened for free selection.

The Hon. Colonel WHITMORE.—I think the honorable gentleman who last addressed the Council did so under a misapprehension, as it is not possible that the lands of Canterbury should be treated in that way. It would not be possible for the Governor to order the hill lands of Canterbury to be put up at an upset price: that is forbidden. The Bill says, "All waste lands shall be sold in accordance with the law in force in the land district where such lands are situated." All the Bill proposes is to preserve the existing system in each of the provinces, and to raise the minimum in provinces where the land has been sold at too low a price. There are only four parts of the colony where the free-selection system prevails—namely, South-

*Hon. Mr. Robinson*

land, Canterbury, part of this province, and Hawke's Bay. There is no great quantity of land which can be sold by free selection except in the Province of Canterbury and the District of Southland. The general tone of the remarks made on the Bill is not of a hostile character, nor are they at all unfair to the Government. The homestead clause, as I said before, the Council can deal with as it chooses; and, with regard to the Hon. Sir Dillon Bell's remark that this Bill will not very much aid the revenue, I may say it is not brought down as a revenue Bill, though it is part of the general policy of the Government, and in the direction of a general measure to be introduced next year. If there were no considerations but those in connection with revenue, I would not ask the Council to pass this Bill. But there are reasons, apart from that, of a political character. We have already given a pledge to certain provinces that we shall require a price elsewhere for land which will be satisfactory to them. There is nothing in this Bill which really conflicts with the working of the other Bill. All that it does is to overrule some few provisions relating to price. I agree with those honorable gentlemen who have said that the financial position of the colony requires us to be very cautious how we interfere with the land revenue. For some years to come the amount of land revenue will be a very material consideration to the Treasurer of this colony, whoever he may be.

Bill read a second time, and considered in Committee.

#### IN COMMITTEE.

Clause 10.—Application of homestead system to the whole of the colony.

The Hon. Sir F. DILLON BELL moved, That the clause be struck out.

Question put, "That the clause proposed to be omitted stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	6
Noes	...	...	...	...	17
Majority against...					11

#### AYES.

Colonel Brett,  
Mr. Holmes,  
Mr. Lahmann,

Mr. Mantell,  
Colonel Whitmore,  
Mr. Williamson.

#### NOES.

Mr. Acland,  
Sir F. Dillon Bell,  
Mr. Buckley,  
Mr. Chamberlin,  
Mr. Edwards,  
Captain Fraser,  
Dr. Grace,  
Mr. Hall,  
Mr. Hart,

Mr. G. R. Johnson,  
Mr. J. Johnston,  
Mr. Miller,  
Mr. Peter,  
Mr. Robinson,  
Mr. Russell,  
Mr. Wigley,  
Mr. Wilson.

The clause was consequently struck out.  
Bill reported to the Council, and read a third time.

#### FINANCIAL ARRANGEMENTS BILL.

The Hon. Colonel WHITMORE.—Sir, this Bill is the keystone of the new financial policy of

the Government. This is the proposal upon which we ask the country to support our general policy and our scheme of finance. A very few years ago this measure would have been looked upon as, in fact, it is now sometimes styled, a Bill of a most revolutionary character. So firmly are first impressions rooted in people's minds that a large portion of the people of this colony look upon the Land Fund as the inheritance of the provinces, which nothing but injustice could deprive them of. It is unnecessary to go into any argument as to the correctness or incorrectness of that view. For some years past it has not been contended that that view is correct, or, if it has been the contention, the endowment has not existed since the introduction of the local-government policy of the late Ministry. The statements of various Treasurers from time to time have practically been based upon the assumption that it was necessary to eke out the colonial revenue by having an undefined recourse to the Land Fund. That was a very inconvenient and unsatisfactory system, and it obtained in the country in consequence only a half-recognition of this right. Year after year we were beginning to put larger and larger burdens upon the Land Fund, which, being an uncertain property in itself, was a dangerous fund to put absolute reliance upon when the public creditor was concerned; and it was especially inconvenient and unsatisfactory in this regard: that, while it practically took away the bulk of the funds from the richest provinces, it maintained the appearance of giving over to them the whole. The consequence of this has been unsatisfactory, and a great deal of heart-burning in many parts of the colony. The difficulty which attended any mode of supplementing the revenue by casting burdens on the Land Fund was that, according to the theory of the Provincialist party, the insufficiency of the endowments of certain provinces to bear the burden caused continual deficits, and it became impossible to convince persons who came from the more largely endowed provinces that it was fair to cast burdens upon them without at the same time casting burdens on others which, at present, have really nothing to pay such burdens with. Last year an attempt, and, in my opinion, a most unfair attempt, was made to equalize the endowments of the various provinces to the extent of the burdens cast upon them by law by the issue of Treasury bills. That attempt was made, and the result was that every province in the colony except one was brought in debt. This state of things was unsatisfactory enough, but it became more unsatisfactory still when it was found that further deficiencies stated to exist by the last Colonial Treasurer were about to be placed on the Land Fund of the richer provinces. This was particularly unsatisfactory to honorable gentlemen in another place. These charges were to be made on the Land Fund, not on the principle which up to that time had obtained, but upon the principle that wherever money was in hand ready for distribution it should be taken and emptied into the public exchequer. I have not the least hesitation in saying that that is no policy at all. That is a principle which, once

admitted, destroyed all confidence in the policy of the Government and in the permanence of their financial arrangements. That was the position in which we found the Land Fund when we came into office, and it was with that difficulty we had to contend. We found that the late Colonial Treasurer had already appropriated 62½ per cent. of the estimated Land Fund to be worked upon, while in the estimated revenue of each of the various provinces—those which are called "defaulting" provinces—there would have been a very considerable deficit. We found that the Colonial Treasurer admitted a deficit of £167,000, which he intended to cast upon the Land Fund. It is true he did not expect to get it all in cash. As soon as all this addition had been made the proportion this year would have amounted to upwards of 90 per cent. upon the land revenue. Then there was the certainty that a large deficit in the accounts of the provincial districts would appear. Now, Sir, these deficits of accounts are the most irritating and galling things that localities can have. They are things that they cannot evade, and they do a great deal towards alienating the rest of the country from them. We have determined to put an end to this system entirely, and to make the Land Fund colonial property. Starting from that point, we also decide to return a considerable portion to the districts, to enable them the better to carry out the necessary local public works. We have decided to make that proportion 20 per cent. It is hoped that we shall be able to maintain that proportion, but I will point out that it does not follow that, because the present proposals may not in themselves produce 20 per cent. in future years, we shall not be able to give the amount named, because included in this proposal is a provision that they shall receive £2 for every pound they collect as rates. An honorable gentleman says "No." Take the case of a county in which there are no Road Boards, and there you will find that the Government is to give £2 for every pound collected. Therefore I am correct in what I say. Before we reduce that 20 per cent. we would of course make a deduction from the subsidies to enable us to maintain them. Having mentioned the amount of 20 per cent., we have been met by great generosity and self-sacrifice on the part of many of those who for the better part of their colonial life have been identified with the policy of absolute localization of the Land Fund, and we think it is due to them that the rest of the colony, which gains so much advantage, should make a struggle to maintain a proportion which would be a material advantage to them, and which is not more than they have a right to expect after making so great a sacrifice. But it is only the wealthy provinces which have given up anything under these proposals. The poor provinces, which are sometimes called the defaulting provinces, gain a great deal. Under this proposal the Province of Auckland—which up to last year only produced £3,000 of land revenue, and was brought in an enormous sum in debt, and of course got nothing—would get the trifling sum of £600. But it is surely better to get £600 than to be brought in in debt and be

reproached with impecuniosity. Another great advantage gained by the present proposal will be, that it will do away with one-third of the business of the Treasury, for the wrangling that goes on between the Treasury officers and the localities on the point of their several indebtedness is becoming so large a portion of our Treasury correspondence and the business of the department as to render it a real gain to the country if we can sweep it away. It follows, of course, that under these proposals there are no longer any landmarks of the old provincial liabilities. We adopt and accept these as liabilities of the colony. It also follows that the 2 per cent. charged to the railways throughout the colony likewise becomes a recognized colonial charge; and, in relation to that, I can only say that there must be some finality somewhere in our borrowing of money for public works. We already stand upon the brink of being compelled to resort to an almost unbearable measure of taxation. If we carry on the same system of lavish expenditure upon railways which cannot be expected for some years to pay that has distinguished the policy of the past few years—I do not, of course, mean to say that all railways have not paid—we shall find that it will be impossible to borrow at anything like reasonable rates, and we shall find that the taxation of this colony will become the heaviest upon earth. Therefore we must be cautious only to make such railways as there is a reasonable prospect of rendering remunerative, and we must not expect to have a complete railway system in much less time than older colonies could venture to expect to have it. By the present proposal to return 20 per cent., and to take 80 per cent. from the Land Fund, I hope and think that, for as many years as it will be necessary to render the railways materially remunerative, we shall be able to tide over the difficulty. But that will involve a little self-reliance. People throughout the country must give up supposing that it is the natural duty of their elected representative to go back to them with a bridge worth £10,000 in his pocket. And it must also be remembered that, when so much endowment is given to local bodies, the duty of making local improvements ought to fall upon those bodies. I will explain as well as I can the various clauses of the Bill. I have an idea that there will be some objection to clause 4; but if honorable gentlemen will look at the clause they will find that there is no particular groundwork for that objection. It is under this clause that the unfortunate Taranaki 25 per cent. is protected. I will say nothing more about that; we have had enough of that question. If it is raised I shall be ready to answer; but I only put it to honorable gentleman whether, after giving a certain endowment to Taranaki years ago, there ought not to be some finality to the reproaches and sneers which we pass on that unfortunate part of the country for having been so endowed. Do not let us begrudge what we have given and reindorsed several times. But, to show that this is not devised entirely and solely, as some honorable gentlemen inform me that they believe it is, for the protection of Taranaki, I may mention

*Hon Colonel Whitmore*

that the North Otago Loan Act, the Westland Loans Act, together with several minor Acts, will all come under the provisions of this Bill and be protected by it. It will be perceived that exactly the same subsidies are proposed to be given this year as were given last year, only that there is not the circumlocution in the expression of the matter that there was in the Financial Arrangements Act of 1876, which, although not very obscure after a little patience had been devoted to the reading of it, still, at the first glance, had a very confusing appearance. All that circumlocution about the division of 10s. and 10s., and the burden upon one fund and upon another, is done away with, and each local body will receive pound for pound in every case, except where one local body does not exist, when £2 for £1 are to be given to the existing local body. There are provisions in the 8th clause which reserve gold mining revenue to the counties, under the provision of section 60 of the Financial Arrangements Act of last year, and which preserved the Native claims, because some of the gold fields have Native claims upon them, which have to be deducted before the remainder of the revenue is paid over to the counties. Their funds, as honorable gentlemen are aware, are obtained from miners' rights, business licenses, and gold mining leases. The 9th clause gives the fines, fees, and other payments which accrue under "The Weights and Measures Act, 1868," in the same manner that licenses for business premises and publichouse licenses were divided under the proposals of last year. I think I have explained the various provisions of the Bill, and I hope it will be read a second time.

The Hon. Mr. HALL.—I object to this Bill, because it constitutes a breach of the compact solemnly entered into between one portion of the colony and another in the year 1856, as will be remembered by the Hon. Major Richmond, the Hon. Colonel Kenny, and the Hon. Sir Dillon Bell, who, with myself, are the only members now present who were then members of the Assembly. That was the first year when the Assembly of New Zealand practically obtained the full control of the affairs of the colony, and when its attention was, of course, directed to the financial position of the colony. That position was then considered a difficult one, although the difficulties were then very small compared with those which now present themselves to us. At that time the colony, entering upon the full working of the Constitution Act and the possession of its estate, found that the debt incurred by the New Zealand Company in colonizing the southern portion of New Zealand was, by the Constitution Act, charged upon the whole of New Zealand; and therefore the settlers in Auckland, who at that time constituted a large proportion of the population, had to contribute towards the liquidation of this debt, which had not only not been incurred in any way for their benefit, but the expenditure of which appeared to them to have rather inflicted injury upon them than otherwise. It was a question upon which they felt very strongly. On the other hand, the Land Fund of all parts of

the colony, including the South, was then liable to contributions for the purchase of Native land all over the colony, but practically in the North Island only. That was a grievance to the southern provinces. The whole question was fully gone into. A solution of it was proposed by the Government, of which I was then a member. That solution was not accepted by the House of Representatives, and, upon the Government being succeeded by one of which my honorable friend Sir Dillon Bell was a member, a different solution was proposed, which eventually received the sanction of the House, and which was embodied in what are called "The Financial Resolutions of 1856." Those resolutions were not proposed as a mere temporary expedient, but, as expressed in the first of the resolutions, they were adopted with the view of permanently adjusting the public burdens of the colony, which adjustment, as was stated, was to embrace a settlement of the New Zealand Company's debt, as well as the charge upon the Land Fund for the purchase of Native land. In another part the resolution stated that the management of the waste lands was to be vested in the several Provincial Governments, and the land revenue to become provincial revenue. It has been stated more than once that that was a settlement rather imposed upon the northern part of the colony, and especially upon the Province of Auckland, against its will. I have just referred to the division lists on that occasion, and I find that, of the Auckland members who voted on that occasion, nine were in favour of the resolutions and only two were against them. Therefore we may fairly assume that it was an arrangement which was concurred in by the Province of Auckland as represented by so large a majority of her members. That has been considered, for many years, a binding compact. At the time it was made, and for some time afterwards, it did not appear likely to be an advantageous compact for the southern part of the colony, because at that time the land revenue was comparatively larger in the North Island than in the South. Subsequently, no doubt, a great change in that respect took place, owing in a great measure, as I believe, to the difference in the system of disposing of the Crown lands adopted in the South from that followed in the North of New Zealand. The land revenue collected in the southern portion of the country has been very much larger than in the North. But honorable members must have noticed, if they have read the official returns laid on the table of this Council, that it is not because a smaller quantity of land has actually been disposed of in Auckland than in Canterbury and Otago respectively, although it is no doubt the fact that a much smaller amount of revenue has been derived from it. The returns show that the amount of land sold in the Province of Auckland is 2,144,000 acres; in the Province of Canterbury, 2,381,000 acres; and in Otago, exclusive of Southland, 2,056,000 acres. There is a singular coincidence in the total acreage disposed of in each of those three provinces, but the land revenue received from it differs very largely. In Auckland it has amounted to £274,000; in Otago, £1,807,000; and in Canterbury, £3,671,000. It is

only fair that it should be considered, when the southern provinces are, as it were, reproached with their enormous receipts from the sale of Crown lands, that it amounts to this: that for a given quantity of land the southern settlers have paid much larger sums of money than the northern settlers have done. They have been content to pay this large price because they believed this mode of disposing of the waste lands was best calculated to promote its beneficial occupation. In considering what system is best calculated to promote this beneficial occupation, we may even go so far as to say that, if land were likely to be beneficially occupied if actually given away rather than sold, it would be better to give it away. But if we did so, unless we had extraneous sources of income, we should have no means of providing labour for the cultivation of the land so disposed of, nor for making roads, bridges, and other means of communication necessary to make the land easily accessible. Therefore, in the South, to a certain extent in Otago, and in Canterbury to a greater extent, it has been accepted as a guiding principle in this matter that a price should be charged for the land which would be sufficient to provide proper means of communication, and also, down to 1870, carry on immigration. That is one of the principal reasons, I believe, why the progress of settlement in the southern part of the colony has been more rapid than in the North. I do not deny that the North has suffered from serious drawbacks, but I believe that if the two million acres sold in Auckland had been disposed of on a different system, although the settlers there would not themselves have obtained such large acreages for so small an amount of money, the land would now be more beneficially settled than it actually is. The principle to which I have referred was one of the reasons which induced the House of Representatives to adopt those resolutions of 1856. They were also agreed to, it is true, as I have already said, to remedy what appeared to be grievances in both portions of the colony, but also because—as was then eloquently explained by the present Judge Richmond in introducing them—if you wish to successfully settle any particular tract of waste land, you ought to return to it in some shape, if not the whole, at any rate a considerable portion of what you take from it in the way of purchase-money. That is the principle at the root of the most successful instances of modern colonization, and which was ably advocated by Mr. Edward Gibbon Wakefield. That is one reason why on the present occasion I wish to enter my protest against a Bill which not only breaks the compact of 1856, but also violates what I believe to be one of the most important rules we can follow in the colonization of this country. So much with regard to the principle of the Bill now before us. I have also one or two objections to the manner in which the Bill proposes to give effect to the new policy. It proposes to put on one side 20 per cent. of the land revenue raised in each county, to be paid over to the County Council. If that is a proper rule I do not think we should depart from it and give 33 per cent. in addition to those portions of

the colony in which land is sold upon deferred payments. When that provision was originally introduced into the Waste Lands Bill the present proposal to localize 20 per cent. of the land revenue had not been made, and therefore there was a good deal to be said for giving the one-third; but, when it was once decided that 20 per cent. of the land revenue should be given to each county, then that rule should be applied to districts where the land was to be sold on deferred payments as well as to all others. I am at a loss to conceive why the deferred-payment selectors should be more favourably treated than others in this respect, and why they should be allowed to make so serious an additional draft upon the colonial revenue. I also object to the Bill as framed because, at any rate for the present year, while it robs the South, it does not enrich the Colonial Treasury. The land revenue for the year has been estimated at £1,000,000.

The Hon. Colonel WHITMORE.—£1,100,000.

The Hon. Mr. HALL.—I venture to doubt whether it will reach £1,100,000. No doubt the land sales in Canterbury have been very large, but, independently of other reasons for their falling off, I believe that, when the purchasers of land know that in future a great part of the purchase-money is not to be returned in the shape of roads and other public works, it will lead to a serious diminution of their purchases. I had almost omitted to refer to what was stated by the present Prime Minister in the House of Representatives very soon after he took office, and I may be allowed to express my disappointment that an enunciation of policy so clear and so sound should have been so very soon entirely thrown overboard. On the 26th October, on the discussion of a vote of want of confidence, the Premier said,—

“I should have shrunk with shame from some of the expedients which members of the late Government have had recourse to in reference to those sums which they proposed to take, without the authority of law, from the Land Funds of Canterbury and Otago: I should have scorned to have been a party to such a transaction. I should have known that in those provinces every individual who bought land, and paid his money for that land, had so paid his money under the pledge that it would be expended upon certain public works, which would give value to the property he had purchased; and, further, that the fulfilment of this pledge was a solemn contract entered into with him by the Government of this country. I should have scorned to break a contract of that kind. People who would do that would not hesitate afterwards to break faith with the outer creditor.”

Notwithstanding that declaration, within a few weeks of the time it was made the Government of which the honorable gentleman is Premier comes down with a proposal to take away from portions of the colony 80 per cent. of the land revenue, which, he says distinctly, is paid under a solemn pledge that it is to be applied to public works for the benefit of the land from which it arises. We are told, however, that this proposal is to be a wonderful relief to the Colonial Treasury. Of course any statement on this point

*Hon. Mr. Hall*

must be to some extent a matter of speculation, but, looking at the very large sales which have recently been effected in Canterbury, I think the honorable gentleman will not say that I am far out, or that I am taking too favourable an estimate for my own side of the case, when I assume that the land revenue of the colony, from the 1st July last up to the end of December, will amount to £700,000.

The Hon. Colonel WHITMORE.—£900,000.

The Hon. Mr. HALL.—I will even accept it at £900,000. That would leave £200,000 to be raised during the remainder of the financial year.

The Hon. Colonel WHITMORE.—No.

The Hon. Mr. HALL.—The honorable gentleman cannot eat his cake and have it too. If he is only to get £1,100,000 for the year, and £900,000 is received up to the end of December, he can only get £200,000 for the rest of the year. People who know the part of the colony where the land sales are chiefly taking place will agree that, if the Government estimate to receive even £300,000 in the last half of the present financial year, that is quite as much as they are likely to get. That will be considerably in excess for the year of the estimate made by the present Colonial Treasurer. According to the financial system which the proposals of the present Government are to supersede, certain local charges were made upon the land revenue of the several districts of the colony. The amount of those charges for the second half of the present financial year, which would have been paid under the old system out of land revenue, comes to £320,000. Those charges are now all thrown upon the consolidated revenue, while the honorable gentleman only takes into the consolidated revenue £300,000. Clearly, if these figures are correct, the consolidated revenue will be a loser by the transaction to the extent of £20,000, and, instead of the Colonial Treasury being helped, its difficulties will be increased. I honestly believe that, when the accounts for the year are laid before this House next session, although these exact figures may not be realized, yet the result which I have indicated will nearly be brought out. The amount may be a little more or a little less, but my honorable friend will find himself quite disappointed in the belief that this change will greatly benefit the Colonial Treasury. But that is not all. What does the present Government further propose to do? It proposes to give 20 per cent. of the land revenue to the districts whether there is a surplus in those districts after deducting present local charges or whether there is not.

The Hon. Mr. ROBINSON.—That was always so.

The Hon. Mr. HALL.—No, it was not. My honorable friend makes a great mistake if he thinks so. We have hitherto given subsidies, and these are still to be continued; but this 20 per cent. is now to be given in addition, and altogether irrespective of whether there is any surplus revenue or not. The estimate of revenue for the second half-year is, as I have said, £500,000, so that the counties will receive at least £60,000 more from the Colonial Treasury than they would have got had the proposals of the present Govern-

ment not been made. These are the reasons why I think that these proposals are not only unjust to some parts of the colony, but that they will not give that assistance to the Colonial Treasury which we have been led to believe they will. I do not mean to say that the time may not have arrived when some modification of the present system might not be expedient and necessary; but I believe that a modification might have been proposed which, while it would give greater relief to the consolidated revenue, would be less unjust to the southern provinces than the scheme now before us. One of the most objectionable features of this scheme is not only the taking of the land revenue, but it is this: that those provinces which have been frugal in the past, and which at present have but small, if any, provincial debts, are reduced to precisely the same footing as those which have been reckless and which are burdened with debt to the fullest extent they possibly could borrow. All are placed on the same level, so that it is not merely the seizure of the land revenue which is the most unjust part of the Bill, but that the whole of the provincial liabilities are to be equalized; those provinces which have been careful in their finance, and which abstained from borrowing large sums of money, such as Nelson and Canterbury, are to be punished for their frugality and prudence. There is still another feature in the proposals of the Government which I think very objectionable. They have not ventured to reconsider the question of the subsidies in proportion to rates which we are now paying to various local bodies, and which cost the colony something like £80,000 a year. I do not at all object to a share of the land revenue being given to the County Councils and Road Boards in newly-settled districts, where roads and bridges are not yet constructed. That is desirable; but I do not think that, in the present condition of the finances of the colony, we are called upon to subsidize large and wealthy municipalities such as Dunedin, Wellington, and Auckland; nor do I think that we are called upon to pay subsidies to those old-settled districts, almost equally wealthy, in the neighbourhood of our larger cities. They have had in the past considerable sums from the land revenue. The rateable value of the property in them is large, and the amount of rates which they can levy is therefore very considerable. I do not think that there is any sufficient ground for the continuance of these subsidies. I should have been glad if the Government had been bold enough to have grappled with that unsatisfactory feature of our present finance, and I sincerely trust that on a future occasion they will not fail to do so. I desire, before sitting down, to notice one remark which fell from the Hon. the Colonial Secretary in moving this Bill. He said, "We must now give up the idea that each member of the Assembly is to be expected to get for his constituents this bridge, and that road," &c. I cannot see that that is at all likely to be the result of the change introduced by the present Government. I think that the result will be exactly the opposite. So long as the land revenue was localized we could fairly say to the various

localities which received it that they must construct their own local public works; but, when you sweep the proceeds of land sales into the colonial chest, then out of what funds are local works to be provided?

The Hon. Colonel WHITMORE.—Out of the pockets of the ratepayers.

The Hon. Mr. HALL.—You may fairly tax the ratepayers to maintain or even improve roads in the older-settled districts; but in new districts, where land is being or has recently been sold, and where the proceeds of those sales are going into the Colonial Treasury, you have no right to expect the ratepayers to put their hands in their pockets again to construct the works necessary for opening up recently-purchased land and making it accessible. If the honorable gentleman believes that ratepayers in those localities will do so, he will be disappointed. He must know that, in some shape or another, a large share of the proceeds of land sales will be required for the purpose of opening up the country in which that land is sold by making roads and other public works, and, if he abolishes the system under which the land revenue has hitherto been so applied, the funds for the purpose will have to come out of the consolidated revenue. To my mind the one great danger we have before us in the immediate future is, that there will be constantly-increasing demands for purposes of this kind upon the Colonial Parliament. I have to apologize for troubling the Council at such length at this late period of the session. If my vote should have the effect of throwing out the Bill I would give it in that direction without the slightest hesitation, because it is a breach of a distinct compact between different parts of the colony, it is a violation of important principles of political economy, and it will inflict injustice upon the portion of the colony with which I am connected, while it will not ultimately benefit the Colonial Exchequer.

The Hon. Mr. ROBINSON.—I shall not detain the Council at any length on this subject. The Hon. Mr. Hall has gone into the whole of the compact of 1856 from beginning to end, and I do not wonder at all that he, being one of those who made the compact, should have a great objection to this Bill passing, because his labour will be all done away with. He has told us that this compact which was entered into was not altogether favourable to Canterbury. I happened to be in Auckland in 1856 when this compact was made, and I met a good many gentlemen there who knew the whole history of the thing. I had then begun to take an interest in the colony, because I thought it was very likely that New Zealand would become my home. The honorable gentleman has told the Council that nine members out of eleven or twelve who represented northern constituencies voted for the Bill to institute this compact, and that he considered was a fair representation of the mind of the North Island; but I know that on that occasion, whatever he may say, the northern people were a long way from being satisfied about the arrangement then being made. Frequently I heard the remark, "You may think we have got a little

advantage, but we have in reality got a long way the worst of it." And such has turned out to be the case. The compact was entered into and religiously adhered to until a very late period, but I think that before I sit down I shall be able to show that, whatever may have been the justice of the compact originally, there are now very good and just reasons why it should be put an end to. The honorable gentleman, in the course of his speech, said that the Hon. the Colonial Treasurer could not expect to eat his cake and have it too. Now, that is just what I think the southern provinces want to do. They have eaten their cake, and yet they want it still. There is a great difference between the circumstances of to-day and the circumstances of some years past. If the arrangement of 1856 had been carried out in its integrity up to the present time there would have been no such thing as the Public Works policy in this country, and had it not been for the Public Works policy there would have absolutely been no Land Fund in Canterbury. Before the Public Works policy was initiated there was very little land sold in Canterbury. It was open for sale certainly, and could not be purchased under £2 per acre; but if it had been open at 10s. per acre it would not have been sold. It was entirely owing to the expenditure of the money of the colony that Canterbury secured a Land Fund; and I imagine, and I think most honorable gentlemen will agree with me, that when the money was borrowed the whole of the lands of the colony, from the North Cape to Foveaux Straits, were mortgaged in good faith to the public creditor. This money was spent in public works and immigration, and the greater part of it was spent in the Middle Island. That, I think, my honorable friend will not deny. Supposing all the money that has been received from the Middle Island Land Fund had been spent there in public works it would not have amounted to so much as has been spent there out of loan. And not only has the loan money been spent there, but, independently of that, they have received up to the present time the whole proceeds of the Land Fund—that is, excepting within the past year or two. The whole of that money has been spent there. The Hon. Mr. Hall has quoted some remarks which were made in another place by Sir George Grey, who charged the late Government with having been guilty of dishonesty in having appropriated part of the Land Fund of Canterbury; and then the honorable gentleman turned round and said, "What can you think of a Ministry who immediately bring down a measure which allows the Government lawfully to consolidate the land revenue?" I think the Government were quite right in doing so. It is true that the people who originally bought land in Canterbury did so on the understanding that £2 per acre should be returned to the district in which the land was situated, for the purpose of making roads, &c.; and I believe that up to the present time that sum has been returned to the districts. Therefore I do not see how the people of Canterbury can charge those who have been administering the Land Fund with dishonesty.

*Hon. Mr. Robinson*

The Hon. Mr. HALL.—I have not charged anybody with dishonesty.

The Hon. Mr. ROBINSON.—The honorable gentleman was quoting the words of Sir George Grey, and I did not say that he himself accused anybody of acting dishonestly. I do not think the honorable gentleman has any right to interrupt me in that way, and I am sure that, if I had interrupted him one-fifteenth of the number of times he has interrupted me, he would have complained of my conduct; therefore I think I have a right to complain of his interruptions. This question may be of very little consequence to the honorable gentleman, but it is of very great consequence to me, and I think he might listen to what I have to say. I had no intention of misrepresenting the honorable gentleman. I was simply alluding to the quotation that he made from the speech of a member of the other branch of the Legislature, which quotation was to the effect that the late Government had acted dishonestly in taking the Land Fund. I was trying, when I was interrupted, to show that the policy of that Government was a right, just, and honest one. I was showing that those people who bought land in the Province of Canterbury on the understanding that £2 an acre should be returned to them had received that money, and that, consequently, they had no right to complain. What will the people who buy land in Canterbury in the future have to complain of when they are told that this £2 per acre, which has been returned to the districts, is to become consolidated revenue? My honorable friend (Mr. Hall) is a very exceptional instance of those who are opposed to the policy of the present Government. I say that, if a poll of the people who reside in the very district he comes from were taken to-morrow, 90 per cent. of them would be in favour of the consolidation of the land revenue. The honorable gentleman told my honorable friend opposite (Colonel Whitmore) that he had no right to expect any more than £300,000 from the land revenue for the last half of the financial year—that is to say, from January to June. I cannot see why the revenue from the Land Fund for the last half of the financial year should not be as great as, if not greater than, it has been for the first half-year. To the best of my recollection, in the last half of the last financial year there were as many transactions in land as there were in the first half of the year. The honorable gentleman also made some remarks with respect to the return of one-third of the money paid for land purchased on deferred payment. He complained, I think, that there would be an undue amount of money returned to the land in those districts where the system of deferred payment existed. Well, I think he is tolerably correct in that. It is not necessary for me to detain the Council any longer. I think I have shown that the Government have very just cause for taking the land revenue, and I believe that the people who may hereafter settle in the Province of Canterbury will have no cause for complaint; and I may say that hereafter there will not be the same necessity for the money derived from the land to be returned to the country, inasmuch as

roads and bridges will have been constructed and other improvements will have been made, and those who buy land in those various districts will be benefited by those improvements, and will be just as well able to pay the taxes and keep their roads and bridges in repair as the rest of their fellow-colonists.

The Hon. Captain FRASER.—I do not admit that we have given up our Land Fund; I say we have merely lent it. The money we have advanced to the North Island in the past has not been well spent, and, if we find that the money we are about to advance to them is as badly expended as it has been heretofore, we can turn our backs upon them. I say we are working in the direction of Separation. Honorable members may say "No," but I say that it will come to that. The Hon. Mr. Robinson has shown that the Canterbury people have no right to complain of the Land Fund being taken away, because up to the present time they have had it returned to them in public works. A great number of the large landholders in Canterbury have had their estates quadrupled in value by public works, and I do not see how they can complain. There are, however, some parts of the colony, especially some parts of Otago, where we have had no advantage whatever from public works. We have paid £1 an acre for our land, and yet we have no roads. We have never benefited by the expenditure on public works. There is one property of 85,000 acres in my district which received 2,800 acres for roads. I have a quantity of land in the district, but I have received nothing, and the average price of land in that part of the country was 7s. 7d. per acre. The property I speak of has received nearly 3,000 acres for making roads, while I have received nothing whatever. I consider that this is only a tentative measure; and, if it is found that it does not prove as successful as is expected, we shall have to adopt something else in its place. I intend to support the Bill.

The Hon. Sir F. DILLON BELL.—I do not think that the measure now before the Council ought to be considered as having any reference to the compact of 1856. All it does is to deal, as we now must deal, with the finances of the country. I will take this opportunity of expressing the admiration I entertain for the courage with which the Government has decided at last to put the finances of the colony on a firm footing, by the taking of the land revenue into the Consolidated Fund. No one who has taken any interest in the finances of the country during the past few years can deny that it is at last impossible for any Government to administer the affairs of the colony by any other means. It is certain that the time had come when the blow must be struck in that direction, and, as I have said, the Government deserve great credit for having struck that blow. Indeed, if the late Colonial Treasurer and his colleagues had had the courage to deal with the question of finance in the same straightforward way, they would have been in office now. Those of us who remember the condition of affairs in 1873 know how sudden was the feeling of alarm at the rapidity with which the indebtedness of the colony was increasing. But just at that time,

following upon a change in the tariff, a stroke of good fortune happened to Sir Julius Vogel in a sudden increase of the revenue of over £300,000, which made people suppose that the Public Works policy was going to be an inexhaustible means of producing money. But Sir Julius Vogel knew a great deal better. Sir Julius Vogel, who was a man of genius and creative power, knew perfectly well that the ground upon which he was then beginning to tread was slippery and dangerous, and at that time began the series of attempts which were made, first in one direction and then in another, to coax the General Assembly into the belief that we were establishing an equilibrium in public finance, and getting rid of the dangers which Sir Julius Vogel himself only too plainly saw approaching. Just at the time I am speaking of there was a great hoarding erected in front of some new buildings that were going up in this city. On that hoarding there was drawn the picture of an acrobat walking gingerly upon the tight-rope. In his hand he held the usual long pole by which the acrobat is accustomed to balance himself: on the ball at one end of the pole was written "Colonial Finance," and on the other "Provincial Finance." The picture of the acrobat was the picture of Sir Julius Vogel, and a better picture never was made in this world. It so happened that very soon after Sir Julius Vogel was assuring us of having successfully established an equilibrium in the public finance. But that was a thing which even he could not do, and which the recklessness of the General Assembly always prevented any Treasurer from doing; and our reckless ways have at last landed us in a position in which no Government can possibly attempt honestly to carry on the services of the country, to complete the lines of railway, and to meet our engagements, unless this step of taking the Land Fund is adopted. We have got to look in the face the certainty of having to take up in cash, within the next two or three years, in order to pay our debts, to complete our lines, and to meet our engagements, a sum certainly not less than five millions sterling: and this will bring up the indebtedness of this country to so gigantic an amount, that it will require the most careful study, the greatest power of resistance on the part of the Executive Government, and the greatest patriotism and self-denial on the part of the Assembly, to prevent us rushing over the brink, on the other side of which is nothing more nor less than colonial bankruptcy. The colony has, I admit, got great resources in itself, and I have not any fear of our not being able to weather the storm which is certainly coming on. But, unless we are now prepared for the first time to apply the whole of our resources to the payment of our liabilities, we shall receive, one of these days, from the English money-lender, a slap in the face from which the credit of this colony will hardly recover. In the present condition of the revenue and of the public indebtedness, and with the demands upon the public Treasury before them, the only means by which this or any other Government can go into the English money market to ask for the money which



we must yet have is by placing themselves in a position to offer the security of the whole of the resources of the colony; and I repeat, that, for this step which has been now taken by the present Government, and which sweeps away all the devices, all the wrigling, all the shams and deccits of the Budgets of the last few years, this Government will one of these days receive the thanks of the country. I should have much preferred that they had carried out their policy to the bitter end, and been bold enough to have told the people who are yet depending on being fed by the Government spoon, that the time had come when it was utterly impossible to give them any more. The Hon. Mr. Hall spoke of the claim which all had, who subscribed to the land revenue, to have a portion returned in aid of public works in their respective districts and in the settlement of the country. I do not deny that for a single moment, if there was the money; but I am convinced the Government will find it utterly impossible to pay any more subsidies, and that within another year they will be obliged to come down with another Financial Arrangements Bill to repeal the subsidies which we are now pretending to secure. It was not for nothing that a suggestion was made in the other House of Parliament that we should seek the assistance of an Imperial Act to prevent any alteration hereafter by this Parliament in the allocation of the 20 per cent. of the Land Fund. But whoever has an idea that there exists any power upon earth by which money is to be put into the Treasury for these subsidies will find himself bitterly mistaken; and, just as last year we deluded ourselves, not for the first time, with the idea that we were passing an Act of Parliament which would secure, for a period of time, certain grants out of the Land Fund and other grants out of the Consolidated Fund, so in the same way we are again deluding ourselves now. We shall not have the money to pay these subsidies. We shall not have the money to keep the form of county government going which we have established. We shall not have the money to give to the municipalities. And the sooner these bodies make up their minds to what will certainly happen, the better it will be for them. The Colonial Secretary, in answer to the Hon. Mr. Hall, interjected the remark, that "The people will have to put their hands in their pockets." Of course they will; and, bitterly as it is to be lamented that, with great recklessness and want of foresight, we have allowed ourselves so rapidly to increase the public debt that we are again obliged to go into the market for a considerable additional English loan, it is worse that there does not appear to be the slightest diminution in the number or amount of the claims brought forward from every district by every member of the House of Representatives, until at last the mere sight of the Supplementary Estimates proves the sham we are deluding ourselves with. I for one rejoice to see the approach of the end—to know at length that when the Colonial Secretary and his colleagues meet Parliament next year they will be obliged to announce, "We require every penny that can be produced in order to carry on the

*Hon. Sir F. Dillon Bell*

services of the country; there must be an end to this demand for borrowing; there must be an end to these subsidies; there must be an end to these continual demands for grants out of the chest of money which is not there." I am certain that one of these days every member of both Houses of Parliament will agree that a stern rejection of these growing demands is the only way in which we can save ourselves from ruin, and from the imposition of taxes which will make this country a hateful country for people to come to and to live in. I know, Sir, that it is a popular doctrine that the proper panacea for our present difficulties, and the proper means by which we shall restore prosperity to the country and put everything right, is by imposing both a property-tax and an income-tax. Long ago, I warned the constituency which I represented in the other House for nearly twenty years, that the day was coming when there would have to be placed a burden on property to help the resources of the State, and I did not hesitate to say that without a property-tax it would be impossible to make both ends meet. But I hope that, in the midst of the troubles which the Government have before them in the recess, they will not add to those troubles the much bigger one of trying to establish in this country the inquisitorial, the baneful, the hateful machinery of an income-tax. Whatever burden real property is called upon to bear I believe it will cheerfully submit to; but you may depend upon it, that on the day when New Zealand becomes the single colony in Australasia where an income-tax is imposed, and where every man who comes here knows that he will have his next-door neighbour inquiring into the sources of his income and into the means he possesses—on that day, and from that day forward, this country will cease to be a favourite place for immigration from England, and will become instead a terror to intending immigrants, besides scaring away from us the employment of any further English capital. I hope, therefore, that the Ministers will take this key-note of putting the whole of the resources into the Consolidated Fund as their guide, and, at whatever cost, will resist to the utmost any attempt on the part of their followers in Parliament, or of the people outside—who do not reflect on the effect such a change in our system would have upon the permanent welfare of the country—to impose so grievous and intolerable a burden as an income-tax would be. As regards the smaller point which the Colonial Secretary mentioned, about the Taranaki 25 per cent., I do not like to take this opportunity of objecting to it, because we cannot alter the proposal which it pleases the representatives of the people to send up to us. But I enter my protest as a public man against this indirect form of doing that which, I believe, both Houses of the Legislature would cheerfully agree to do directly if their consent were asked. The very feeling which induces the honorable and gallant gentleman to claim from this Council their loyal adherence to the permission we gave the people of Taranaki for the construction of their harbour, ought to assure him that if a proposal were sent up from the House

of Representatives in a direct form to do the work the Council would give their assent to it. But I think it is an unreasonable course in the House of Representatives, when, instead of asking our assent to the Taranaki Harbour in a direct form, they insert a clause in this Bill the effect of which is to give to every district of the colony yielding a land revenue only 20 per cent., while it secures to a district where a Land Fund hardly exists 45 per cent. I gladly support, however, the honorable and gallant gentleman in the general measure of taking the land revenue; and however little sympathy there may be between the honorable and gallant gentleman and myself as public men, however little we may be able to agree on other questions, I would be only too glad here, or in any other place, to give him most cordial assistance in carrying out this policy to its legitimate end.

The Hon. Mr. BUCKLEY.—I have always considered that so long as the provinces existed the compact of 1856 was not likely to be disturbed; but the moment Abolition took place that result was an absolute certainty. I am sorry that at the time Abolition took place the Land Fund was not made general. If that had been done I believe we should not now have such a large sum hanging over us in the shape of Treasury bills. I do not think that the changes in the finances of the colony which this Bill will bring about will be what are expected. I do not think it will have the effect of improving the finances very much. The arrangement for the payment of 20 per cent. to the different districts in which the Land Fund is raised is very satisfactory, and would be more satisfactory if we could feel certain that the contributions from the Land Fund would stop there. I take the view expressed by other honorable members that when 20 per cent. is given to the different districts the subsidies should be no longer paid. If districts were told that if they wanted any more they would have to tax themselves, they might, to some extent, assist the revenue.

The Hon. Dr. GRACE.—I have no doubt whatever that the Land Fund, to the extent of 20 per cent., will continue to be localized, and, when the colony realizes that the colonialization of the Land Fund is not sufficient to supply the revenue expected from it, the general craving for expenditure will be materially diminished. The different districts will never consent to provide roads, bridges, and other necessary works for themselves as long as there is anything left in the public purse on which they can come for a grant in aid. As soon as they realize that the public purse is tried to the utmost they will be ready to make sacrifices to maintain local works in their own districts. I would remind honorable gentlemen from the South that they will, for those purposes, be placed in a much better position than people in the North. They have already got extensive roads and bridges, and works of every kind, whereas in a large portion of the North Island there is not a single road or bridle-track. The fact is, the colony must necessarily give up those subsidies to municipalities and counties, because it cannot afford the expendi-

ture. As soon as all the funds of the colony are administered from one purse it will be brought home to the colonists that they must do without this aid from the colonial revenue. The people then will be prepared to make the necessary sacrifices, and you will find that the colony will progress satisfactorily. I do not think it would be quite right to allow the Hon. Mr. Hall to go away with the idea that at any time it would have been possible in Auckland to charge £2 an acre for ordinary Crown land with the intention of giving back a portion of the price for public works. The difference between the value of the land in Auckland and in Christchurch is as 5s. to 40s., and the land at 40s. would be the better bargain. We must be reasonable with each other, and consider that in all these matters the practical value of the commodity is that for which it sells. The whole of the position of the colony from this day forth simplifies itself. We shall now know how we stand, and I believe we shall have the common sense to face the difficulty.

The Hon. Colonel KENNY.—I need hardly point out that, this being a financial measure, we must accept it as a whole. I shall accept it as a whole. At a time like this, when the compact of 1856 is being referred to, I think it is desirable that I should place before the Council the action taken by it in 1856. I shall read the resolution which I moved, and which was carried in this Council in that year, and it will be seen that we are now going in the same direction. The resolution I moved was thus entered in the Journals:—

"Major Kenny moved, That, in reference to the resolutions adopted by the House of Representatives on the 2nd July, 1856, and transmitted to the Legislative Council with Message No. 10 of His Excellency the Governor, it is the desire of this Council to place on the records of the Council that those resolutions have been regarded as being of the nature of a 'Supply Bill,' and that the Council have not interfered with the details accordingly. That a copy of this resolution be forwarded to the Governor with the resolutions referred to.—Question put, and carried."

I think that is sufficient to show the temper of the Council in regard to those resolutions. At any rate, it shows the views I held, and therefore I can vote, without any imputation whatever, for this Bill in its entirety.

The Hon. Mr. WILLIAMSON.—I do not wish to give a silent vote on this occasion. I would not have spoken at all were it not for the manner in which the compact of 1856 has been urged upon us. It has been urged upon us as if the colony made a compact with an outside party, and that party came with the bond in his hand and said, "Here is my bond." We were not in a position to make a compact at all. We are here for the purpose of consulting the interest of the present and the future of the colony; and, if we found that it was right to enter into the compact at that time, it was only right as long as it continued to be fair and just. I think that this Bill does not go far enough. The funds of the colony should be all in one purse, and should

be all colonialized. It would be a much better way to assist the settlers of this country if we allowed them to rate the Crown lands in the same way as their own lands, and told them that that was to be their only access to the public purse. If subsidized in that way they would look much better after the expenditure. Another question was dwelt upon by honorable gentlemen: that is, Why should land on deferred payments contribute more than other land? The simple reason is, that you put people on land that they are not in a position to occupy, and to contribute their share of what is going on—you put people without capital on this land to work it; and, unless there is something granted in that direction, it is thrown on the rest of the country to make roads for them. I will support the Bill as it is, although I think that it would have been a better Bill if there were no reservation at all for districts.

The Hon. Colonel BRETT.—The last two or three speakers are like the offspring of profligate parents—whose parents ruined themselves and sold their property. They now come forward for the sympathy and commiseration of the public. How does the case stand now? We are all aware that Canterbury was a parent of a very different character from Otago and Auckland. Canterbury looked after its property and guarded it by honorable and judicious management—it did not spend or throw away its birthright; whereas Otago and Auckland went through their birthright, and sold it at any price, reckless of the future. Those honorable gentlemen remind me of those unfortunate families in Ireland who have spent all their money and live beyond their means. They now come to the wealthy offspring of careful parents with the hope of getting assistance, and trying to grasp what they have no right to. That is the case, Sir. They want what they have no right to and what they have no claim to. What Mr. Hall has put forward is a clear, and honest, and upright view of the case. I shall certainly vote against the Bill, because I do not think it is a just one. The whole country knows what I am now stating is the case. When I first came to the colony twelve years ago I was told, "Oh, go to Auckland. You will get any quantity of ground there. They merely want your money. They will sell their birthright for anything. They will sell it for a pot of porridge. In Canterbury you cannot get anything without paying a good price." That was the state of affairs when I came to New Zealand. We have heard it said that the colony had to pay for our roads in Canterbury. Sir, I say we have paid for our roads, and have paid rates to maintain them. Therefore that argument does not hold good. I was very much surprised, when a Bill was brought in yesterday by the Hon. Mr. Hall for making further railways, to hear some one say that there were no roads or works of that kind in Canterbury. There are splendid roads in every district in Canterbury. The Malvern, Oxford, and other roads are as good as, if not better than, any roads in Wellington City. That is what we have done in Canterbury, and I hope Canterbury members will not allow their property

*Hon. Mr. Williamson*

to be taken from them in this unfair and unjust manner.

The Hon. Colonel WHITMORE.—The reception this Bill has met with at the hands of the Council has been so indulgent that I do not wish to enter into anything of an argumentative character, or to dispute conclusions which the Hon. Colonel Brett and others have arrived at. I wish, however, to say that the Hon. Mr. Hall to some little extent misled the Council and misled himself. I have gone through all the calculations very painfully and with the best means at my disposal to obtain accurate results. I do not know if it is worth while my troubling the Council with a financial speech, but I shall be very willing, if the honorable gentleman wishes, to show him and place at his disposal the figures which I have worked out. I have a little document here which has not been distributed, and which was not intended for publication. It shows the basis we calculated upon, and not that upon which the honorable gentleman calculated. He calculated the revenue from land at £1,100,000. That is the amount we take credit for. He argued that as for the whole year there is only a surplus for each of the wealthy provinces, and there is a deficit on the defaulting provinces, all of which must be taken away from the Exchequer.

The Hon. Mr. HALL.—You mean the 20 per cent.

The Hon. Colonel WHITMORE.—No. Pausing here for a moment, I will allude to what the honorable gentleman said about a remark made by the Premier the other day. I need not read the passage again, but the effect of it was that the Premier then said he would scorn to take away funds which had been paid by persons under the idea that the Land Fund was under certain obligations to them. Well, Sir, not only has the Premier acted in exact consistency with the speech he then made, but the Government have gone further than that, because they have not made this system to come into operation until the 1st January next. So there will be a greater surplus to go to Canterbury than if we had brought the Act at once into force. We have not proposed to take £58,000 in cash, which was proposed to be done by our predecessors. That we consider to be a deliberate proposal to take away money paid in on a distinct understanding, which such a course violated. What we propose to do is to bring into operation a system under which no man will buy under a misapprehension. Canterbury will get an enormous sum of surplus revenue this half-year. Calculating the year in two halves, and assuming that the estimate is right for each half, and that the revenue is constant throughout the whole year, an enormous surplus has accrued upon the first half-year. Very well; Canterbury gets the entire advantage of that. There will be more than £700,000 returned to the province as between the 1st of July last and the 1st of January next. I admit that some of that was due before the 30th of June; but, still, more than half a million will be paid to that single province. The province from which I come has discharged its liabilities and shows a

small surplus, but there is no other province in New Zealand which can say the same. It must be remembered that it is practically impossible to make a reliable estimate of land revenue. It is not like Customs revenue, which, we know, can be approximately estimated. There is no particular reason why one half of the year should yield more land revenue than the other half, or, indeed, that any estimate should be correct. But if the honorable gentleman will take the pains to go through the history of the Land Fund he will find that there is no precedent for supposing that the last half-year of any year is normally worse than the first half-year in respect to the Land Fund realized. Therefore it is quite fair to estimate that the half-year coming will yield as much revenue as the half-year which is passed. Ordinarily speaking, therefore, we should estimate the Land Fund at between £1,600,000 and £1,700,000 for the whole year, but we estimated it at a lower sum, and we think there is no reason to believe that our estimate is too high. We consider £1,100,000 to be a fair estimate, and we shall apportion all charges exactly on the same principle throughout the year. On that hypothesis, and supposing the Supplementary Public Works Estimates taken over from the late Government, which I understand have not been admitted to be correct, and adding to them other items that must come in, such as education—owing to the throwing out of the capitation clauses—the Sartoris-Downe claim, the *Waka Maori*, and an excess upon the Hospital vote, rendered necessary by the rejection of the Charitable Institutions Bill, and because last year the vote was exceeded—allowing all these, and taking into consideration the Supplementary Estimates of the last Government, and supposing that all the votes are expended and that we keep up our present expenditure and make no reductions, we shall come out in this position: We shall be £129,000 short on the 31st of July. However, we have come into two windfalls which make up £90,000, and we have made reductions in the expenditure which more than recoup the remaining difference. But, even if the Supplementary Estimates are passed in their present form by Parliament, it is quite impossible to spend anything like those amounts between now and next year. The Public Works Estimates cannot be spent in that time—so we are informed by our Engineer-in-Chief. Therefore we see our way clear to do a little more than to recoup the apparent deficiency on these Estimates, more especially if the House in its wisdom passes only a portion of the additional Estimates now before the House. The House will be informed by the Premier of the Government to which I belong that to pass them or not is in its discretion. It is to be hoped that, if this year it does pass them, next year the House will agree to lay down some principle regarding these roads and bridges and the other excessive demands which the constituencies are constantly making to Parliament, so that in the future we may be able to place Estimates on the table which we can with confidence recommend to the House for its adoption. We hope

to have a surplus on account to the extent of £50,000 or £60,000. Then there are certain to be unexpended balances on the Public Works Account. It is not professed by the Ministry that the government of this colony can be carried on satisfactorily if this system of crowding the Supplementary Estimates with charges for public works is to be pushed to the extreme. The Hon. Mr. Hall seemed to object to any reference to putting our hands in our pockets. I undertake to say that if the honorable gentleman looks at the provincial liabilities he will be struck by the fact that, while other parts of the colony are making great claims, the Province of Auckland only asks for a very small amount. While some of the provinces ask for sums of over £100,000, the great Province of Auckland only asks for £8,000. Now, it is true that in the North Island there are many roads that are wanted; but I can say that in the inhabited and settled portions of that Island the roads, bridges, and other public works are of the most satisfactory character. There is no part of the colony in which the people are called upon to pay larger rates than in the Province of Auckland and in the adjoining Province of Hawke's Bay. The people there have put their hands into their pockets. The honorable gentleman should remember that his district is getting 20 per cent. of a large land revenue, and, if he finds that more than that is required to maintain the roads and bridges, the people should be easily able to put their hands into their pockets. He will find that when people are called upon to put their hands into their pockets it is not, after all, such a difficult thing to do. The Hon. Colonel Brett said that Auckland and the other provinces which had no Land Fund were the children of profligate parents; but, be that as it may, they are not afraid of the future that they have before them; they are not profligate children; they are not unweaned children, who have been accustomed to suckle at the breasts of a too liberal mother, like the people of the honorable gentleman's province. I have great hope that the finance of the present Government will work out satisfactorily, and I must say that I do not look upon it so dolefully as Sir Dillon Bell does. I hope this settlement of 20 per cent. will be a final one. I must say that I differ from the opinion expressed that the 50,000 settlers could, by the compact of 1856, bind the New Zealand of the future by any little hocus-pocus arrangement. It is a wonderful thing that it should have existed for so many years. It appears to me to show how desirous the English people are to stick to their contracts. I consider the new compact as one that necessity required. It suffices to enable us to keep faith with our creditor, and to avoid the danger of becoming bankrupt; and so long as I remain in political life I shall endeavour to adhere to the localization of 20 per cent. of the Land Fund, as proposed by this Bill, unless I see that it would be disastrous to keep it up.

Question put, "That the Bill be now read a second time;" upon which a division was called for, with the following result:—

Ayes	...	...	...	22
Noes	...	...	...	5
Majority for	...	...	...	17

## AYES.

Captain Baillie,	Lieut.-Colonel Kenny,
Sir F. Dillon Bell,	Mr. Lahmann,
Mr. Buckley,	Mr. Mantell,
Mr. Chamberlin,	Mr. Miller,
Mr. Edwards,	Mr. Pharasyn,
Captain Fraser,	Major Richmond, C.B.,
Dr. Grace,	Mr. Robinson,
Mr. Hart,	Mr. Russell,
Mr. Holmes,	Colonel Whitmore,
Mr. G. R. Johnson,	Mr. Williamson,
Mr. J. Johnston,	Mr. Wilson.

## NOES.

Mr. Acland,	Mr. Peter,
Colonel Brett,	Mr. Wigley.
Mr. Hall,	

Bill read a second time, considered in Committee, and read a third time.

## COUNTIES BILL.

The Hon. Colonel WHITMORE, in moving the second reading of this Bill, said the amendments it proposed were to remedy technical defects which had been found to exist in the working of the present Act. It provided for a danger which had been found to occur of the original area of a riding being entirely absorbed by municipalities. There was also a provision for the regulation of special loans and overdrafts with banks. There was one provision which honorable gentlemen might possibly be disposed to take exception to, which declared that the travelling expenses of Councillors might be paid. On the whole, he thought the balance of argument was in favour of paying, at all events, travelling expenses. If Councillors gave their time to the performance of these public duties it was hardly fair that they should be compelled to pay their actual travelling expenses. This Bill did not deal as widely as the Government would like to do with the county system, but next year they would be prepared with a more complete scheme. The short time they had been in office rendered unnecessary any apology for not having as yet been able to carry out all their wishes in respect to the Counties Act. But if the county form of government was to continue, as the country seemed determined it should, it was desirable that the system should be made efficient. This was only a temporary measure to patch up difficulties which had appeared upon the surface, and he hoped honorable gentlemen would not find any difficulty in accepting it.

Bill read a second time, considered in Committee, and read a third time.

## DISQUALIFICATION BILL.

The Hon. Colonel WHITMORE, in moving the second reading of this Bill, said it was introduced by the Premier in another place to meet an omission in the Disqualification Act of last year, first discovered, or, at least, pointed out, by the

*Hon. Colonel Whitmore*

Hon. Mr. Robinson. The Act as introduced in another place contained but one clause, inserting in the Bill the two words which had been left out. But for some reason, which, doubtless, the Council would learn directly from some honorable gentleman who thought this Bill of more importance than the Bills to give effect to the policy of the Government, there were other clauses introduced by Mr. McLean. There seemed to be a certain amount of personal feeling imported into the matter, with which he had no sympathy. The object of clause No. 4 seemed to be to do away with an improvement in the Disqualification Act which the Council put in last year. He had moved the clause, but, owing to some circumstance which he did not remember, voted against it in Committee, not upon its merits, but because he was obliged to do so owing to some side-issue raised. However, it was carried by a large majority. The clause was intended chiefly to allow an opportunity of providing for the late Superintendent of Canterbury (Mr. Rolleston), the late Superintendent of Otago (Mr. Macandrew), Mr. Bunny, Mr. Reader Wood, and other honorable gentlemen, who would otherwise have found their Parliamentary career cut short by assisting the Government after the abolition of the provinces. It was thought only fair to give those honorable gentlemen an opportunity of being employed by the General Government. Since that time the country had been under considerable obligations to those honorable gentlemen, but he was not aware whether, in the meantime, there was any distinct offer of employment made to them. Certainly their services had not been made use of. He thought, however, that in the case of Mr. Rolleston there was some kind of an offer made of employment in connection with the education of the country. It was so stated in the papers, at any rate. He would read section 4 of the Act of 1876, which was as follows:—

"The provisions of this Act shall extend and apply to any election of a member of the present House of Representatives, and to any person as in this Act mentioned who may have been elected to be a member of the said House while holding any such office, commission, or employment as aforesaid; but this provision shall only be operative in cases where the person so elected shall have resigned such office and ceased to be engaged in such commission or employment before taking his seat as such member."

He confessed that at the time he moved the clause he thought it was only a proper and graceful thing for Parliament to do, and he adhered to that opinion still. The short time that had elapsed between the doing away with the services of these gentlemen and the present time had practically given no opportunity of doing anything for those gentlemen, or giving them an option as to the capacity in which they could serve the country. He did not suppose the Council, when it legislated on this subject, intended merely a *brutum fulmen*, or to repeal next session what had been passed in the previous session without its having had a chance to operate. It seemed that some gentlemen in another place, for reasons satisfactory to them—

selves, had thought fit to take another view of the matter, and had inserted in the Bill a clause which would never have been inserted by the present Government or any other Government. Whether the Council were going to stultify themselves he did not know. As the Bill was not now a Government Bill they did not care whether it passed or not; if it failed, they had nothing to regret, except that an ambiguous clause remained in the original Bill. The object of the action which had been taken seemed to be to deprive three or four individuals of the chance of being employed in the public service; but doubtless the Council would hear all about it directly.

The Hon. Sir F. DILLON BELL had only just become aware of the circumstances to which the Hon. Colonel Whitmore now referred in a very disguised way—

The Hon. Colonel WHITMORE.—There is no disguise about it.

The Hon. Sir F. DILLON BELL had not intended to say so in any offensive sense. He thought that the case which the honorable gentleman had put was worthy of consideration. If he had been in the Council last year, he would have supported the provision contained in the 4th section, which was now proposed to be repealed; but he would have taken care that it only had temporary operation. He thought that the Council ought to maintain the principle of disqualification settled by the repeal, but he admitted that it ought not to be applied in such a way as to press unfairly on any persons who might reasonably have been expecting to receive some appointment from Government. He hated anything like meanness in such matters. It had lately been said that the Government would be glad to accept the services of Mr. Bunny in some public capacity. He believed the Hon. the Colonial Secretary had specially mentioned Mr. Rolleston.

The Hon. Colonel WHITMORE said he had mentioned the names of Mr. Bunny, Mr. Rolleston, Mr. Macandrew, and Mr. Reader Wood.

The Hon. Sir F. DILLON BELL admitted that he had made a mistake in thinking that the honorable gentleman had referred specially to Mr. Rolleston. He was under the impression that it had been the intention of the late Government to offer some appointment in the public service to Mr. Bunny; and if the late Government had made any arrangement of the sort with Mr. Bunny, or if the present Government wished to do the same, he was willing to assist the Government to carry it out, and would move an amendment by which it could be done. The Colonial Secretary would agree with him, however, that it would not be well to leave the 4th section of the Act of last year in force, for there were twenty or thirty members of the other House who might come under its operation. His idea was, therefore, to repeal that clause after a given date, and then the Government would be enabled to carry out any arrangement they wanted with Mr. Bunny. He only wanted candour in this matter. The Hon. the Colonial Secretary was hardly speaking fairly when he said the Council did not wish to assist the Government. They

all knew that the gentleman representing the Government in the Council was charged with a very laborious duty, one in which he was necessarily liable to fall into mistakes, as he was alone on the Government benches there. The Council were always happy to assist the Government when they could; but, in return for that, if the honorable and gallant gentleman would allow him to say so, the Council expected from the Minister equal consideration; and it was hardly right to cast an imputation of that kind upon the Council. If it was the object of the Government to appoint Mr. Bunny to any position in the public service he would assist them to do so. But when they were asked to support the Government in a matter of this kind, the Council had in return a right to expect that the honorable gentleman would give a distinct assurance to the Council that, if they yielded so far as not to make the repealing clause have immediate operation, the Bill would not be dropped, but would be carried through in the other House. For it was above all essential that the permission contained in the Act of last year should not be permanent, and that the Ministry of the day should not continue to have the power of appointing members of Parliament to the public service.

The Hon. Mr. MANTELL said that the Hon. Sir F. Dillon Bell in the closing part of his speech had directed attention to the real danger which attended the amendment of the Act. If it was the desire of the Government to make any appointment, they had power to do so before any change was made in the law. It did not take a month, or a week, or even a day to make an appointment. If the mind of the Government was made up on the subject they could exercise their authority before the Bill now before the Council passed into law, and he thought they would be quite justified in doing so. He doubted, however, whether the Council would be justified in sending the Bill back to the other Chamber, considering that it had been sent up to the Council with the recommendation of that Chamber, and that it was a Bill which vitally affected the privileges of that Chamber. He looked around the Council, but saw nobody who was likely to take advantage of the Bill.

The Hon. Captain FRASER said they might take advantage of some of the clauses.

The Hon. Mr. MANTELL thought that, as the passing of this Bill by the Council would not immediately deprive the Government of the power which they had under the existing law of making the appointment which had been referred to, it would be better and wiser to pass the Bill without amendment.

The Hon. Captain FRASER had been opposed to the Bill from the first moment he saw it on the Order Paper; and he would read a note which he had made regarding clause 3 of the Bill. That clause proposed to allow members of Parliament to hold seats on Harbour Boards, and therefore next session they might find that the Harbour Boards were represented in Parliament as follow:—Auckland, 3 members; Napier, 2 members; Taranaki, 2 members; Wanga-

nui, 2 members; Wellington, 3 members; Nelson, 2 members; Hokitika, 1 member; Greymouth, 1 member; Lyttelton, 3 members; Timaru, 3 members; Oamaru, 3 members; Port Chalmers, 2 members; Dunedin, 3 members; and the Bluff, 2 members—thus making, altogether, 32 members of Parliament who might also be members of Harbour Boards. What would be the effect of that? Why, that any amount of log-rolling would be carried on. He held that it would be a very dangerous thing to give such an amount of power in Parliament to those Harbour Boards. When the Bill was in Committee he intended to move that that part of clause 3 which allowed members of Harbour Boards to be members of Parliament be struck out. The Harbour Boards and County Councils were greedy and grasping enough already, and it would not do to strengthen them by admitting their members into Parliament. They knew what the Harbour Boards were capable of in the past, but they did not know what they would be capable of in the future when they would have an amount of power in Parliament which would enable them to pass any measure they liked. He hoped honorable members would assist him in Committee to strike out that part of clause 3 to which he had referred.

The Hon. Mr. ACLAND would like to know whether he was right in supposing that the honorable gentleman had said that there were thirty-two members of Harbour Boards holding seats in the Assembly.

The Hon. Captain FRASER said there were certainly some gentlemen in the Assembly who were also members of Harbour Boards.

The Hon. Mr. HALL would gratify the honorable gentleman by saying that he was a member of a Harbour Board, and that he had not received his appointment from the Government.

The Hon. Dr. GRACE was glad that particular attention had been directed to this Bill, because he had not considered it. Now that he had read it, however, he wished to draw attention to clause 5. It was a very bad principle to lay down that, whenever the Legislative Council or the House of Representatives declared that the seat of a member of either House had not been vacated, such declaration should be final and conclusive. It simply amounted to this: that, when a member of the House of Representatives, for example, had disqualified himself by such action as no Parliament should allow, a majority in that House might pass a resolution by which his disqualification would be annulled, and he would remain in full possession of all his privileges as a member of that House. He looked upon that extension of the powers of Parliament in these cases as a most serious blot upon the disqualification law. It was by no means difficult to conceive a condition of things in which it might be well worth the trouble for any party to whitewash one or two members for conduct which should fairly have disqualified them. With regard to clause 4, which had reference to subsection 4 of section 6 of "The Disqualification Act, 1876," he remembered that portion of the Act perfectly, and the impression at the time

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was that this legislation was advisedly exceptional, and he did not think it was intended that these exceptions should be hastily done away with. They were in a transition state at the time, and groping in the dark to the solution of many difficult problems. It was an appreciation of this fact, that the services of many competent men might be necessary, that led the Council to adopt that portion of the Act. He had not been prepared to hear that the Disqualification Act now in force admitted of so many members of Parliament being employed by the Government, neither was he prepared now to admit it without absolute demonstration of its truth. But, granting that the exercise of such a power could by any means be fairly restricted—and the number of appointments in the gift of the Government would restrict it—he maintained that some such power by which the Government could reward its supporters was absolutely necessary in constitutional government. If that power could be abused—that was to say, if it could be extended to any prejudicial or injurious degree—then it should be at once taken away. But there was nothing in the records of constitutional government to prove that it was possible for any Government to maintain a strong party unless it had some rewards for its supporters. He referred honorable members to the constitutional history of England—to the whole Parliamentary history of their own country. How were they to have a strong Government if they had no rewards? What was the reason that they were perpetually suffering from the misery and affliction of a weak, tottering Government? The real reason was, that the Government had no rewards to offer. What was the use of shirking this difficult position? How were they to legislate for this country without strong Governments? Pure high-class politicians were rare men, and would become rarer every day. The more democratic were their institutions the more difficult would it be found to have a disinterested representative body. Therefore they were bound to take a middle course—to run neither into one extravagance nor the other; and they would be bound, whether they liked it or not, to make it possible for Governments to in some way remunerate their followers. How this was to be done was not a question for them to discuss at present, but at no distant time they would be bound to admit this necessity. He did not see himself such an absolute necessity in the interests of the State for the repeal of clause 4, though, at the same time, if it could be shown that the clause was capable of such a wide use, it might be desirable to restrict its application. However, apart from that—and he was led into this discussion on clause 4 accidentally—he wished to draw attention to the fact that he was totally opposed to clause 5. He saw no defence whatever for the introduction of such a clause into the Bill, and would oppose it in Committee to the best of his power.

The Hon. Sir F. DILLON BELL said that he heard the Hon. the Colonial Secretary just now cheer the sentiment that he ought not to have alluded to Mr. Bunny's name. If the honorable

gentleman thought he had acted wrongly in naming Mr. Bunny it would be unbecoming in him to move his amendment. For his part, he considered it a very great honor to belong to the Civil Service of the country, and he did not consider that there was any shame or disgrace in any one who had held the office Mr. Bunny had held having his services continued if the Government thought that they could utilize them. If he had said anything which might embarrass the honorable gentleman, or which was unfair to Mr. Bunny, he regretted it, and of course would take no further step in moving his amendment.

The Hon. Mr. HOLMES merely wished to state how the matter stood, without any gloss whatever being thrown over it. At present a contractor was not eligible to be elected as a member of the House of Representatives, but, once in the House, he might contract as much as he pleased. They knew the effect of that. Any amount of corruption would be possible if that clause were allowed to remain. Then, again, under the present Act Superintendents and members of Provincial Executives when the provinces were abolished were at liberty to take employment under the Government. The Act was passed in order that they might be able to do so, because it was supposed that their services would be of value in introducing the new state of things; but by an oversight the Act was left indefinite, instead of being limited, and one result was, that twenty or twenty-two members of Provincial Executives, including the Superintendents, were eligible for office for all time, whereas the other sixty members of the House of Representatives were excluded. The repeal of this clause remedied all that, and placed all the members in the same position. It was obviously wrong that such an error should be permitted to remain on the Statute Book.

The Hon. Mr. BUCKLEY disclaimed any personal feeling in the matter. In fact, he held opinions on this question which were probably shared by very few members of the General Assembly. Clause 2 corrected an error which was discovered during the present session, and which ought to be amended. With reference to clause 4, as he understood it, some twenty or twenty-two members could receive payment under that clause, and he did not see why it should not be extended to all the members of the General Assembly. To show what his opinion was on this matter, he might state that about a month ago a Bill was introduced into the other House by the honorable member for New Plymouth, and he saw that Bill before it was introduced, the honorable gentleman having asked his opinion upon it. The Bill did away entirely with the disqualification of any member of the General Assembly on account of his receiving an appointment at the hands of the Government. On reading the provisions of the Bill he told the promoter that he was prepared to support it. The view embodied in that Bill was, in his opinion, the proper one to take on this subject. The Bill, he believed, was introduced into the other House, but not passed. His opinion was, that if there was any disqualification it should extend to all.

He quite agreed with the remarks of the Hon. Dr. Grace, and thought it would be far better not to have any disqualification of members of the General Assembly. If the Government of the day made any improper appointments they were always liable to be taken to task by the Assembly.

The Hon. Colonel WHITMORE said he did not cheer the remark made by the honorable gentleman on the other side with any intention of reflecting upon anything the Hon. Sir F. Dillon Bell had said, because he recognized that the honorable gentleman spoke in a very generous spirit, and placed him under some obligations by his remarks. He regretted that the honorable gentleman should have spoken of any one as being the person intended to be affected by this legislation. He himself had only the vaguest possible reason for believing that it applied to any single individual. More persons than one had been mentioned during the present session as being likely to receive certain appointments, but he was bound to say that the name of the honorable gentleman who had been referred to was one of more than two which had been mentioned to him during the session. Some honorable gentleman had said that there were twenty or twenty-two members of the Assembly who would come under the disqualification clauses. Practically they knew that there were only four or five members of the Assembly who stood in such a position that there could be any great desire to utilize their services by appointments to the Civil Service. But there were some men who had devoted the best part of their lives to the service of the country in provincial politics, and, as one of those fair compromises they were called upon to make when they were doing away with Provincialism last year, they inserted a saving clause in the Bill to meet the case of those officers. The introduction of the clause which he had objected to was done as a piece of violent political party defiance, and it was on that ground that it was peculiarly incumbent upon him to resist the alteration, even though he stood in a smaller minority in the Council than his colleagues must have been in on the occasion when they allowed that clause to pass. It passed, he understood, by a surprise, by an accidental vote, and he had no reason to believe that it was the deliberate view of the other branch of the Legislature; and if the Bill went back to the House of Representatives with this clause altered honorable gentlemen might be satisfied that a very different division would be taken. He hoped that when the Bill went into Committee they would not see that hostile spirit shown towards the Government that had been evinced by honorable gentlemen who wished to force on this measure instead of proceeding with the business of the country.

Bill read a second time.

#### RATING BILL.

The Hon. Colonel WHITMORE, in moving the second reading of this Bill, said it was brought in to remedy apparent defects in the Rating Act passed last year. There was a very great inconsistency throughout the colony in the



valuations of neighbouring districts, the views taken by the valuers appointed in the different districts being very diverse. This Bill was intended to put all valuations on a uniform system, and to provide for only one valuation for an entire county. There were also certain amendments to remedy defects which were discovered in the provisions relating to objections to valuation lists. There was also a provision to restore to ratepayers of Road Boards the power, which had been taken from them, of fixing their own rate. There had been circulated throughout the Council certain proposed amendments in this Bill which he thought were much better and clearer than clauses now in the Bill. He would not be justified in complaining, if the Council agreed to the second reading, should they decline to consider the amendments; but, inasmuch as the amendments were more important than the Bill, he hoped they would think twice before they refused to adopt them.

The Hon. Sir F. DILLON BELL said it was not because he disapproved of the principle of the Bill that he objected to it, but simply because he could not understand it. After the trouble taken last year to pass what appeared to country settlers to be a very good Rating Bill, he thought they should take a little more time before amending it. They had no time to consider any amending measure at the present period of the session, and he would move, That the Bill be read a second time that day three months.

The Hon. Mr. ROBINSON seconded the amendment. This was a measure of very great importance, and he did not think it was desirable to pass it hastily.

The Hon. Dr. GRACE said clause 10 of the Bill would require the most serious consideration. If the Bill went into Committee he would feel bound to move that it be very materially altered.

Amendment agreed to, and Bill ordered to be read a second time that day three months.

#### CONSOLIDATED STOCK BILL.

The Hon. Colonel WHITMORE, in moving the second reading of this Bill, said it was brought in by the late Government, and its purpose was to give effect to legislation in England which had been brought about by the action of Mr. Westgarth, a well-known member of the Stock Exchange, Sir Julius Vogel, and one of the other Agents-General. Mr. Westgarth for many years had thought it would be desirable for the colonies to have their stock inscribed. Sir Julius Vogel had taken the matter up, and a measure had been passed by the Imperial Parliament which seemed to meet with great favour in England. Although he had not heard of its passage, he believed there was also a Bill before the Imperial Parliament which, if passed, would enable trustees to invest in colonial securities. That would open to our securities a large and important class of investors, who, being persons who did not buy stock for pure speculation, were the very best people to become holders of the stock of the colony. It was thought that it would be very desirable for the Government to have power to inscribe the loans, in the

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way proposed in this Bill, at the Bank of England at the small charge they made for doing it, because it was found that the securities became more easy of realization, and this was very satisfactory to persons whose affairs were confined to the Home country. He thought this was the only part of the Bill that the Government particularly desired to bring into force as yet. Still, it did not appear that there was any objection to taking power for the conversion of our loans which might be valuable at any time hereafter. He did not think, from present appearances, that it was at all likely that it would be proper or prudent on the part of the colony to consolidate its various loans at this juncture; but he might be in error, and there was no doubt it would be a great temptation to English investors to have the stock placed in such a position as to be open to investment by trustees. The whole of the correspondence upon this subject had been for a long time on the table of the Council, and, although the Bill came in at a late period of the session, honorable members had had full time to consider the whole matter. The charges certainly appeared to him to be very reasonable, considering the trouble and, to a small extent, risk involved. The opinions of the many financiers quoted in support of the proposal were so uniformly favourable, and the proposal had met with such favour with persons in high authority in England, that there must be more in it than was obvious at first sight. He did not pretend to be sufficiently familiar with the English money market to be able to say that it was a desirable thing to inscribe our loans. He was aware that there were many opinions on the subject, and he admitted that he might not be right in his idea. Regarding the conversion of the loans, it had been said that by this means the Government might lay its hands upon a large portion of the Sinking Fund. If it was thought that such was the purpose of the Government it might be well for him to explain that no part of the Sinking Fund could possibly be realized by the process, because the Consolidated Loan was placed on the market by Sir William Fitzherbert as what was technically called a 1 per cent. cumulative loan: that was to say, they paid exactly the same amount of interest from the first year to the last, and all the time 1 per cent. was being devoted, together with the interest on cancelled bonds, to the cancellation of bonds. Therefore no relief at all could be gained to the country in the way of obtaining cash from the Sinking Fund. All that the country would gain would be a saving of interest. He believed that if they could exchange at par the present consolidated loan for an inscribed loan the colony would get relief to the extent of over £100,000 a year. He forgot the exact amount for the moment, but he knew it would be at least that. He had heard in some directions that it was supposed that the object of the conversion was to obtain the use of the Sinking Fund; therefore he had been at pains to explain the matter as well as he could, in order that there might be no mistake on the subject. He assured the Council that for the present, so

far as this Government was concerned, there was no intention of attempting a conversion, but when Parliament met again some further information would be given on the subject.

The Hon. Mr. HALL did not like such an important Bill to pass without saying a few words about it. He must say he thought the Hon. the Colonial Secretary had done scant justice to Sir Julius Vogel in mentioning his name after that of Mr. Westgarth. During that time, he (Mr. Hall) knew that Sir Julius Vogel had in respect to this matter very great difficulties to encounter, having to harmonize the Bank of New Zealand, the Treasury, the solicitors, and a variety of other bodies, each of whom had strong objections, which only the patient perseverance of Sir Julius Vogel could have overcome. He had received a high encomium from the Secretary of State for the Colonies for his action, and he (Mr. Hall) believed that, of his many services to the colony, this would eventually prove to be not the smallest. The Bill, as the Colonial Secretary had said, consisted of two branches, one part providing for the inscription of stock and the other for the conversion of stock. About the provision for inscription of stock a good many opinions were entertained. So far as he had been able to ascertain, the very fact of the dividends on our securities being paid by the Bank of England, the negotiations for our loans being undertaken by the Bank of England, the fact of the New Zealand stock transfer registry being at the Bank of England—all these were facilities which would be of considerable advantage to the colony, and would, in many cases, lead to trustees making investments in these stocks, even if the Bill which the honorable gentleman alluded to did not become law. As regarded the conversion of loans, he could not quite agree with the large powers which were proposed to be given to the Governor by clause 4. That clause gave the Governor power to alter and convert our loans upon almost any terms he thought fit. If the conversion was to take place, perhaps it would be difficult to limit these powers, but he was very glad to see that the Government did not propose to go into that branch of the subject. It required grave consideration, and whenever that operation should be thought of he hoped nothing would be done until the whole matter was brought before Parliament and Parliament had an opportunity of fully considering it. With regard to the withdrawal fund, which was a feature of their loan, he felt sorry that it was proposed to drop that. He thought the money borrowed ought to be paid off by degrees; and, although it might be peculiar to borrow with one hand and repay with the other, it must be remembered that the day would come, and that not before long, when they would have to stop borrowing, and then it would be their duty to endeavour to pay off by small degrees the heavy debt they had incurred. He had much pleasure in supporting the Bill.

The Hon. Mr. HOLMES thought more had been made of this Inscription of Stock Bill than the subject demanded. It was simply legislation so that parties who held as a permanent investment might have their stock placed in such a

form that, in the event of loss by fire, for instance, they might still be able to claim by registration. That was the sum-total of what could be said about it. It could not affect the actual value of the stock, because investors looked for a certain amount of interest; and no inscription would increase that rate. So long as the security was considered sufficient, it did not matter whether the stock was inscribed or not. It was not the business of the colony to inscribe stock, because a number of the principal purchasers were brokers or those who dealt in securities, and those parties would much prefer the ordinary stock as it was now issued, because it would pass freely from hand to hand in the same manner as a bank-note or a sovereign. It was only to those who wished to hold the stock permanently that the inscription would be of any value. With regard to relieving the burden of the Sinking Fund, all he could say was, that the Government would merely obtain the use of a portion of the money. That would not lessen their indebtedness by a farthing, but it would give the Government the present use of money that the colony would eventually have to pay. At the present time, the less they tampered with their securities the better. If a loan had to be raised it would not be wise to attempt a fresh consolidation of the loans. He was of opinion, therefore, that, so far as that was concerned, the Bill would be of no advantage.

The Hon. Colonel WHITMORE, in reply, said, with regard to what fell from the Hon. Mr. Hall about the services of Sir Julius Vogel, he thought they all recognized the services of that gentleman. When he spoke he merely claimed that Mr. Westgarth should be mentioned before Sir Julius Vogel, because he was the first to move in the matter. With regard to the remarks of the Hon. Mr. Holmes, he thought he had explained the whole thing clearly, but probably his want of experience in financial matters might have caused him to be rather obscure. If the system of yearly putting by something to decrease the debt of the colony were carried out, the Government would not have the use of a single penny. The Sinking Funds would amount to something over a million, perhaps a million and a half, and they were Sinking Funds in one sense, though not in another. There was no money representing those funds; they were only cancelled bonds. At the same time, it would appear that the indebtedness of the colony was lessened by that amount. On the other hand, the burden of the country was greater than it would be if the old debentures were exchanged at par for inscribed bonds, because the colony was paying interest on all those cancelled bonds in order to annul the original debt. Presuming that the bonds could be exchanged at par, all the colony would have to pay would be the interest on the exact number of bonds which were converted, so that the colony would save the 1 per cent. which it had been laying by, and also the interest on the million and a half to which he had referred. That was what the Government would gain. They would not get the present use of any money whatever. That was the best explanation he

could give the Council on the subject. The Government thought that the inscription of stock might render it more easy to raise any loans which might be required.

Bill read a second time, considered in Committee, reported without amendment, and read a third time.

#### LOAN BILL.

The Hon. Colonel WHITMORE, in moving the second reading of this Bill, said it was drawn in the same terms as preceding Loan Bills, the only thing new about it being the schedule. It contained no new provision whatever. The same rate of interest was payable, and the terms upon which money was to be borrowed were exactly the same. A sum of £1,400,000 was to be devoted to immigration and public works, £800,000 was to be used for the purpose of taking up the guaranteed debentures, and £800,000 was to provide for provincial liabilities, although it was hoped that that sum would be reduced by the House of Representatives.

The Hon. Mr. J. JOHNSTON wished to express his surprise that the Government had determined to borrow £800,000 to redeem the guaranteed debentures. Two months ago, when present in the gallery of another place, he heard the then Colonial Treasurer, in reply to an inquiry, state that the rate their debentures were pledged at was 1½ per cent. The loan of two millions and a half was not likely to be raised at less than 5 per cent., and if the difference between 5 and 1½ or 2 per cent. was calculated it would be seen that the cost to the colony of redemption was something over £2,000 a month. There was a "fad"—he could use no other word—that it was good financing to have the £800,000 guaranteed debentures as a "nest-egg;" but to have and to keep such an egg was to be done only at the great cost as shown. Should the Government again pledge the guaranteed debentures, which was probable, the indebtedness of the colony would be increased by that amount. Should it not require to use them, and at a very early date, then the raising of money to redeem them is absurd. He believed that the Bill could not be amended by the Council, but he hoped that the honorable member who represented the Government would bring the matter under the notice of his colleagues, so that they might take it into consideration.

The Hon. Sir F. DILLON BELL said the point which the honorable gentleman had brought before the Council was quite correct. No doubt by freeing the guaranteed debentures some loss of interest must accrue to the colony; but there was another point which must be considered, and that was in connection with the administration of the affairs of the Treasury. The Treasury required a working balance of not less than £600,000 or £700,000 constantly for the ordinary administration of the department, and the advantage of having the guaranteed debentures to use for the purpose of that working balance was, that when money was wanted it could be obtained at a low rate of interest immediately; whereas, if the Treasurer had to depend for the possession of a working balance upon the disposi-

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tion of New Zealand bonds, he might find himself at any moment in a position of difficulty.

The Hon. Mr. BUCKLEY said he quite agreed with the Hon. Sir F. Dillon Bell that it was right for the Government to redeem the guaranteed debentures and use them for financing, as they had done in the past. For two or three years past they had been financing them. For instance, when the Assembly first met, and the first Financial Statement was made by the late Colonial Treasurer, £550,000 of the £800,000 had been financed and taken credit for. But the £800,000 had never before been included as part of the loan, and he did not understand why that position was taken up now. If it was not necessary before, why was it necessary now?

The Hon. Colonel WHITMORE thought his honorable friend had overlooked the circumstance that since the time when the late Colonial Treasurer explained the finances the rate of interest had considerably altered, and if the late Colonial Treasurer was again making a statement and touched on that point he would not take the same view. Any moment there might arise a difficulty, either through their exports falling off, war breaking out, or any other accident, and, if anything was suddenly required to meet their engagements in London, it would be a valuable thing to have the £800,000, or a portion of it, available. In such an event they were likely at any moment to have works suspended which it might be more expensive to arrest than to complete, and it was a great advantage not to be entirely dependent upon the accidental market price of their stock. The expedient was one which had been tried by several successive Treasurers, and against which no strong expression of opinion had been raised by anybody except a few of those gentlemen who had given attention to financial matters, and they had only objected to it on the ground of the rate of interest. Of course, if any loss which might occur was not counterbalanced by some gain, it would be a disadvantage; but he thought that any loss possible in this case was counterbalanced. His honorable friend Mr. Buckley was quite right when he said that the amount might, but for the redemption of the bonds, just as well have been put down at £2,200,000. He did not see the advantage of having a schedule to such a Bill as this. Honorable gentlemen might say "Oh;" but he would ask what earthly use there was in having a hard-and-fast rule one session to tie up money, which, in the following session, was released. Such strict rules had not really tended to secure the public interests or to benefit their finances, although they had caused a considerable amount of trouble to the Government. If the Government were worthy of being trusted with the administration of very large sums of money they were surely worthy of being trusted with it without its being tied up in this way. If they deviated from their proposals in regard to the disposal of the money, Parliament could always call them to account; and the result of schedules was to create an infinity of special accounts. The objection which the Hon. Mr. Johnston had raised to the repurchase of the debentures was one which was worthy of consideration, and, as

he (Colonel Whitmore) had a high opinion of the honorable gentleman's views on the subject, he would explain those views to his colleagues. The Government assumed that they were not compelled to take up those debentures; and it might happen that the Government would favourably consider the views of his honorable friend. If they did so, he had no doubt the honorable gentleman would render them his assistance.

The Hon. Mr. HOLMES wished to know whether there was a Sinking Fund attached to this loan.

The Hon. Colonel WHITMORE replied that there was not.

Bill read a second time, considered in Committee, reported without amendment, and read a third time.

#### DISQUALIFICATION BILL.

On the question, That the Hon. the Speaker do leave the chair, in order that the Council may go into Committee on certain other Bills,

The Hon. Mr. HOLMES said,—I wish to ask a question, Sir. In what position is the Disqualification Bill? We should have gone into Committee on it before certain other Bills; but apparently it has been allowed to lapse. I wish now to ascertain in what position it is—whether we should go into Committee on it before any of the other Bills on the Paper.

The Hon. the SPEAKER.—It was not proposed that the Council should go into Committee on that Bill after it was read a second time.

The Hon. Mr. HOLMES.—I move, That the Disqualification Bill be considered in Committee before any other Bills ordered to be committed.

The Hon. the SPEAKER.—Do I understand that the honorable gentleman is in charge of the Bill?

The Hon. Mr. HOLMES.—No.

The Hon. the SPEAKER.—It is not in accordance with Parliamentary custom for any honorable member to interfere with any Bill in the custody of another honorable member.

The Hon. Mr. HOLMES.—If the honorable gentleman in charge of the Bill abandons it, it does not lapse.

The Hon. the SPEAKER.—The honorable gentleman will see that it is not usual to argue a question with the Speaker. It is constantly the practice that a member does not give immediate notice with regard to his intention in reference to any Bill. He may think it is desirable not to give notice at the moment.

The Hon. Mr. MANTELL.—I understood that the honorable gentleman, when the second reading of the Bill was carried, gave notice for its committal immediately.

The Hon. Colonel WHITMORE.—Distinctly not.

The Hon. Sir F. DILLON BELL.—With all due submission, Sir, I may perhaps refer to the practice in the other House. If an honorable member does not go on with a Bill which has once been on the Order Paper it is competent for another member to give notice of motion for proceeding with the Bill. Of course I do not presume to express any opinion against your ruling. I only

wish to point out that the practice in the other House seems to be different from the practice here.

The Hon. the SPEAKER.—It is ten years since I first became Speaker of this Council, and I do not remember a single instance in which any interference has taken place with a member in charge of a Bill. If I am wrong, the usual plan is, when there is a disagreement with the ruling of the Speaker, that notice be given for a subsequent day; but, considering that we are at the close of the session, I would waive that altogether, and ask the Council to decide the question at once.

The Hon. Sir F. DILLON BELL.—I hope I may not be understood for a moment to dispute your ruling on this question of practice. It is matter of practice, and the practice of the Council establishes the rule here.

The Hon. Mr. MANTELL.—Should I be in order in giving notice of this motion, to-morrow I will move, That the committal of the Disqualification Bill be the first Order of the day for the sitting on that day.

The Hon. Colonel WHITMORE.—I likewise agree with you, Sir, that never in my experience in this Council have I known any attempt made to interfere with a measure in the hands of another honorable gentleman. The Hon. Mr. Mantell, of all members in this Council, is the one who most constantly brings forward motions, postpones them to a future day, and then lets them lapse altogether. I have often been disposed to interfere and ask him to explain why he does this; but so rigid has been our rule not to interfere at all that I have abstained, sometimes under provocation. There was a question very recently in which the honorable gentleman acted in the way I mentioned, and I showed a great deal of forbearance, which, I am sorry to say, the honorable gentleman has not shown on the present occasion. But I claim it as my right in this instance that it is for me to give notice, and not the honorable gentleman; and that he has no right, according to the rules of the Council, to upset my action or reverse it by the motion of which he has just given notice.

The Hon. Captain FRASER.—I want to know from the Colonial Secretary what has become of the Dangerous Goods Amendment Bill. I want to know what has become of it. The last thing I heard of it was, that it was in the possession of the Hon. Mr. Mantell. I say that honorable gentleman has done a serious injury to the capital of the district to which I belong by taking the steps he has taken, and taking it upon himself, as an individual member of the Council, to put it out of the power of the whole Council to deal with that Bill, by moving that it be considered next week. He has done a great injustice to the part of the country I come from, because in Dunedin there are several establishments lighted up with the dangerous substance called gasoline.

The Hon. Mr. ROBINSON.—I do not think this is a question of Bills being dropped by one honorable gentleman or another. The question simply is, If an honorable member allows a Bill to lapse, can any other honorable member take



to be settled; but we gave way, and did not attempt to dispute your ruling. We had fought a long struggle through the whole of that session, and, just when we thought we had got victory in our hands, it was snatched away from us on a formality. It was a great disappointment to us that, after all our fight, your ruling should have overthrown all our work in the laborious session of 1870, when, with every interest against us, we won the battle, but on the last day of the session were defeated. I cannot understand how honorable gentlemen can get up here and talk as they have done. I can excuse the Hon. Sir Dillon Bell for doubting your ruling, because this is his first session, and we know that he has a right to strong opinions owing to the very high position which he occupied in another branch of the Legislature. We have invited his views so frequently this session that he may have naturally supposed we wished to hear them on this question of order. But, with respect to other gentlemen, after we have had your ruling, and after that ruling has been fortified by the Chairman of Committees, who told us that, during the long period of years he has been in the Council, he has no recollection of anything being done such as is now proposed to be done, I thought there would be no further question upon this point, and that the Hon. Mr. Mantell would have withdrawn his motion, out of respect to the Council. I think that to interfere with a gentleman in charge of the Government business, and tell him that he is to bring on this Bill or that Bill, would be not only a discourtesy to him, but would be very likely to lead to great inconvenience. The Bill was only read a second time a few minutes ago, and I am taunted with declining to go on with it at once. I have a perfect right, Sir, to consider which Bills are of the most importance, and to place them in the order in which I think they should be placed. I hope, Sir, the Council will submit to your ruling, because I am sure that, unless we do submit ourselves to the decision of the Chair, this Council will not maintain its high character.

The Hon. Mr. MANTELL.—From what the honorable gentleman at the head of the Government said, I understood that he did not intend to bring forward this Bill again this session.

The Hon. Captain FRASER.—I rise to a point of order. Has the honorable gentleman any right to impute motives to any other honorable gentleman?

The Hon. the SPEAKER.—It is contrary to Parliamentary practice. I feel the painful responsibility placed upon myself in giving a decision on this subject, which is almost becoming a personal question. I affirm that I have always felt the greatest anxiety to give a correct ruling, especially in cases of this sort. It is possible that, on looking up the authorities, I may come to a somewhat different decision to-morrow; but at the present moment I firmly believe that I am giving a proper and just decision.

The Hon. Mr. MANTELL.—Understanding that to be a confirmation, Sir, of the construction put upon your ruling by Messrs. Fraser, Robinson, and Whitmore—

The Hon. Captain FRASER.—I beg that the

honorable gentleman will give me my proper title—the title bestowed upon me by Her Majesty the Queen.

The Hon. Mr. MANTELL.—Well, Sir, the Hon. Colonel Whitmore, the Hon. Mr. Robinson, and the honorable gentleman opposite, upon whom Her Majesty has been pleased to confer the title of—

The Hon. Captain FRASER.—I rise to a point of order. I do not see why the honorable gentleman should—

The Hon. the SPEAKER.—I must ask honorable members to cease this altercation.

The Hon. Mr. MANTELL.—I now understand your ruling to be final, that it is not competent for me to give notice of the motion which I purposed giving. I beg to apologize if you think I meant to question your ruling. Anything of the sort was far from my mind.

The Hon. the SPEAKER.—I feel assured that the honorable gentleman meant no discourtesy, for I have always received the greatest courtesy and consideration from the honorable member and from the Council. I must give my ruling according to my understanding of the custom of the Council and the practice and precedents of Parliament.

The Council adjourned at half-past one o'clock a.m.

## HOUSE OF REPRESENTATIVES.

Thursday, 6th December, 1877.

Second Reading—Third Readings—Bills Discharged—  
Hokitika Government House—Telegrams Copyright Bill—Consolidated Stock Bill—Loan Bill—Aparima Bridge—Railway Surveys—Gold Fields Municipalities—Waste Lands Sale Bill—Supply.

Mr. SPEAKER took the chair at twelve o'clock noon.

PRAYERS.

SECOND READING.

Queenstown Waterworks Bill.

THIRD READINGS.

Public Revenues Bill No. 2, Lyttelton Harbour Works Compensation Bill, Queenstown Waterworks Bill.

BILLS DISCHARGED.

Public Works Bill, Public Revenues Bill No. 2, Sartoris, Downe, and Others Bill, City of Auckland Loans Bill, South Rakaia Road Board Bill No. 2, South Rakaia Road Board Bill No. 1.

HOKITIKA GOVERNMENT HOUSE.

Mr. BARFF asked the Government, if they will make arrangements for vesting in trustees, on behalf of the people of Hokitika, the building known as Government House, in the Town of Hokitika, together with that portion of the reserve on which it is situated? From the commencement of settlement in Westland there had been set apart a portion of one of the Government reserves, on which had been erected a building known as Government House. It was used as a

residence by successive County Chairmen, then by the Superintendent of the Province of Westland, and since the abolition of the provinces it had, he believed, been occupied by the Hon. Mr. Bonar. The people of Hokitika were extremely desirous to have the building set apart for such purposes as they might deem expedient. It would be very suitable either for a public library or for a library and museum combined. The grounds were very nicely laid out, and it would be far better, instead of keeping up an establishment like the present, that it should be devoted to some purpose which would result in benefiting the inhabitants of the town. He might mention that the people of Hokitika had already expressed a strong opinion in this direction.

Mr. MACANDREW said that the Government took pretty much the same view of the matter as the honorable gentleman. They would inquire into it, and, if there was no objection, effect would be given to his suggestion.

#### TELEGRAMS COPYRIGHT BILL.

Mr. SHEEHAN asked leave to introduce this Bill.

Mr. DE LAUTOUR hoped that, if leave to introduce the Bill were granted, the honorable gentleman would withdraw it on the first reading. It would be far better to deal with the subject next session; and, in the belief that the House would adopt this view, he would not enter into the merits of the question. He hoped that the Bill would not go beyond the first reading.

Mr. REID said he should not object to the Bill if the copyright were confined to telegrams that were accurate. He hoped that the protection would not be extended to manufactured ones.

Mr. SHEEHAN would not oppose what appeared to be the feeling of the House, and would therefore ask leave to withdraw the Bill.

Mr. BARFF trusted the honorable gentleman would not withdraw the Bill. He had not had time to consider it, but, as a Press man of many years' standing, he felt convinced that one portion of the Press required protection against another portion, which were too mean to pay for their own telegrams, and were not too proud to steal from the columns of their contemporaries telegrams which had to be paid for at a very high rate. The end of Press work and of all newspaper writing was to furnish the public with the earliest information upon all matters; but, unless some measure of this kind were passed, those who were most desirous of furnishing correct information, at considerable cost to themselves, would still continue to be as badly treated as they had been in times past. He wished the House to understand that he spoke as an expert. Some thousands of these telegrams had passed through his hands, and he knew that they were regularly reproduced by other papers, frequently in an altered form to avoid prosecution. He trusted the Bill would be passed, as a matter of justice to the respectable portion of the Press.

Major ATKINSON hoped the honorable gentleman would go on with the Bill.

Mr. SHEEHAN said he would prefer to withdraw the Bill, because he was satisfied there

*Mr. Barff*

would be a long discussion about it. He would ask the House to read the Bill a first time without discussion, and the Government would then regard that as a pledge that they should next year bring down the Bill in a better form. He might say, in reply to the remark of the honorable member for the Taieri, that, if the copyright were extended to accurate telegrams only, the number of protected telegrams would be so small that they might drop the measure altogether. If the House adopted his suggestion, and read the Bill a first time, it would be brought down next year, and extended so as to include dramatic copyrights which were feloniously reproduced in the colony.

Bill read a first time.

Mr. SHEEHAN moved, That the Bill be read a second time on Monday.

Mr. BARFF said that meant shelving the Bill. He thought that, if its object were briefly explained to those honorable gentlemen who were opposing, they would withdraw their opposition. He would move, That the Bill be read a second time presently.

Sir R. DOUGLAS cordially agreed with the honorable member for Hokitika, and hoped the Bill would be gone on with.

Mr. MANDERS thought honorable gentlemen should be allowed plenty of time to consider the provisions of this Bill before they were asked to pass it. He held that it was not right to pass such a Bill hurriedly at the end of the session.

Mr. BALLANCE said this was a matter which required very careful consideration, and he hoped, therefore, that the House would agree to postpone the Bill. If it were proceeded with it would occupy a long time, because it was more complicated than honorable gentlemen supposed.

Motion, "That the Bill be read a second time on Monday next," put and negatived.

Question put, "That the Bill be read a second time presently;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	20
Noes	...	...	...	...	32
Majority against	...	...	...	...	12

#### AYES.

Major Atkinson,	Mr. Rolleston,
Mr. Baigent,	Mr. Rowe,
Mr. Bowen,	Mr. Sheehan,
Mr. J. C. Brown,	Mr. Sutton,
Mr. Fox,	Mr. Takamoana,
Mr. Gibbs,	Mr. W. Wood,
Mr. Joyce,	Mr. Woolcock.
Mr. McLean,	
Mr. Montgomery,	<i>Tellers.</i>
Captain Morris,	Mr. Barff,
Mr. Ormond,	Sir R. Douglas.

#### NOES.

Mr. Ballance,	Mr. Macfarlane,
Mr. Bryce,	Mr. Manders,
Mr. Bunny,	Mr. Nahe,
Mr. Burns,	Mr. O'Rorke,
Mr. Carrington,	Mr. Rees,
Mr. Curtis,	Mr. Richardson,

Mr. De Lantour,	Captain Russell,
Mr. Dignan,	Mr. Sharp,
Mr. Fisher,	Mr. Swanson,
Mr. Fitzroy,	Mr. Tairaoa,
Mr. Gisborne,	Mr. Tawiti,
Sir G. Grey,	Mr. Teschemaker,
Mr. Hamlin,	Mr. Tole.
Mr. Hialop,	
Mr. Hursthouse,	<i>Tellers.</i>
Mr. Johnston,	Mr. Shrimski,
Mr. Lumsden,	Mr. Wason.

The motion was consequently negatived.

### CONSOLIDATED STOCK BILL.

This Bill was further considered in Committee.

Clause 3.—Governor in Council may create capital stock, to be called "New Zealand Consolidated Stock."

Question put, "That the clause stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	38
Noes	...	...	...	...	13

Majority for	...	...	...	...	25
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#### AYES.

Major Atkinson,	Mr. Manders,
Mr. Baigent,	Mr. McLean,
Mr. Ballance,	Captain Morris,
Mr. Barff,	Mr. Nahe,
Mr. Bowen,	Mr. Ormond,*
Mr. Bunny,	Mr. Rees,
Mr. Burns,	Mr. Reid,
Mr. Carrington,	Mr. Richardson,
Mr. Curtis,	Mr. Rowe,
Mr. Dignan,	Mr. Sharp,
Sir R. Douglas,	Mr. Tairaoa,
Mr. Fisher,	Mr. Tawiti,
Mr. Gibbs,	Mr. Travers,
Mr. Gisborne,	Mr. Wason,
Mr. Hursthouse,	Mr. W. Wood,
Mr. Johnston,	Mr. Woolcock.
Mr. Kelly,	
Mr. Kennedy,	<i>Tellers.</i>
Mr. Lumsden,	Mr. Hamlin,
Mr. Macfarlane,	Mr. Stevens.

#### NOES.

Mr. J. C. Brown,	Mr. Sheehan,
Mr. De Lantour,	Mr. Swanson,
Sir W. Fitzherbert,	Mr. Takamoana,
Sir G. Grey,	Mr. Tole.
Mr. Joyce,	<i>Tellers.</i>
Mr. Macandrew,	Mr. Montgomery,
Mr. Rolleston,	Mr. Murray.

The clause was consequently agreed to.

Bill reported to the House, and read a third time.

### LOAN BILL.

This Bill was considered in Committee.

Clause 3.—Loan of £4,000,000 authorized for certain purposes.

Mr. BALLANCE moved, That the amount be reduced to £3,000,000.

Question put, "That 'three million' be inserted in lieu of 'four million' ;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	28
Noes	...	...	...	...	27
Majority against	...	...	...	...	1

#### AYES.

Mr. Baigent,	Mr. Rees,
Mr. Barff,	Mr. Rowe,
Mr. J. C. Brown,	Mr. Sharp,
Mr. Bunny,	Mr. Sheehan,
Mr. Carrington,	Mr. Shrimski,
Mr. Dignan,	Mr. Swanson,
Mr. Fisher,	Mr. Tairaoa,
Mr. Gisborne,	Mr. Takamoana,
Sir G. Grey,	Mr. Tole,
Mr. Hamlin,	Mr. W. Wood.
Mr. Hialop,	
Mr. Macandrew,	<i>Tellers.</i>
Mr. Macfarlane,	Mr. Ballance,
Mr. Nahe,	Mr. De Lantour.

#### NOES.

Mr. Beetham,	Mr. Murray,
Mr. Bowen,	Mr. Ormond,
Mr. Brandon,	Mr. Reid,
Mr. Bryce,	Mr. Richardson,
Mr. Burns,	Mr. Rolleston,
Mr. Curtis,	Mr. Sutton,
Sir R. Douglas,	Mr. Tawiti,
Mr. Gibbs,	Mr. Teschemaker,
Mr. Hunter,	Mr. Travers,
Mr. Hursthouse,	Mr. Wason,
Mr. Johnston,	Mr. Woolcock.
Mr. McLean,	<i>Tellers.</i>
Mr. Montgomery,	Major Atkinson,
Mr. Moorhouse,	Mr. Stevens.

#### PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. Bastings,	Captain Kenny,
Mr. Hodgkinson,	Mr. Murray-Aynsley,
Mr. Larnach,	Mr. Williams,
Mr. Lumsden,	Mr. Fox,
Mr. Luak,	Mr. Button,
Mr. Pyke,	Mr. Fitzroy,
Mr. Reynolds,	Dr. Henry,
Mr. Seaton,	Mr. Stafford,
Mr. Wakefield,	Captain Russell,
Dr. Wallis,	Mr. Harper,
Mr. R. G. Wood.	Mr. Cox.

The amendment was consequently negatived.

Major ATKINSON moved, as an amendment, the insertion of the sum of £2,000,000.

Question put, "That 'two million' be inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	25
Noes	...	...	...	...	23

Majority against	...	...	...	...	3
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#### AYES.

Major Atkinson,	Mr. Ormond,
Mr. Beetham,	Mr. Reid,
Mr. Bowen,	Mr. Rolleston,
Mr. Brandon,	Mr. Stevens,
Mr. Burns,	Mr. Sutton,



Mr. Curtis,  
Sir R. Douglas,  
Mr. Gibbs,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Johnston,  
Mr. Montgomery,  
Mr. Moorhouse,

Mr. Tawiti,  
Mr. Teschemaker,  
Mr. Travers,  
Mr. Wason,  
Mr. Woolcock.  
*Tellers.*  
Mr. McLean,  
Mr. Richardson.

## NOES.

Mr. Baigent,  
Mr. Ballance,  
Mr. Barff,  
Mr. Bryce,  
Mr. Bunny,  
Mr. Carrington,  
Mr. De Lautour,  
Mr. Dignan,  
Mr. Fisher,  
Mr. Gisborne,  
Sir G. Grey,  
Mr. Hamlin,  
Mr. Hislop,  
Mr. Macandrew,  
Mr. Macfarlane,

Mr. Murray,  
Mr. Nahe,  
Mr. Rees,  
Mr. Rowe,  
Mr. Sharp,  
Mr. Sheehan,  
Mr. Shrimski,  
Mr. Swanson,  
Mr. Taiaroa,  
Mr. Takamoana,  
Mr. Tole.

*Tellers.*

Mr. J. C. Brown,  
Mr. W. Wood.

## YEAS.

*For.*

Mr. Bastings,  
Mr. Hodgkinson,  
Mr. Larnach,  
Mr. Lumsden,  
Mr. Lusk,  
Mr. Pyke,  
Mr. Reynolds,  
Mr. Seaton,  
Mr. Wakefield,  
Dr. Wallis,  
Mr. R. G. Wood.

*Against.*

Captain Kenny,  
Mr. Murray-Aynsley,  
Mr. Williams,  
Mr. Fox,  
Mr. Button,  
Mr. Fitzroy,  
Dr. Henry,  
Mr. Stafford,  
Captain Russell,  
Mr. Harper,  
Mr. Cox.

The amendment was consequently negatived.

Mr. W. WOOD moved, as an amendment, That "two million five hundred thousand" be inserted.

Amendment agreed to, and clause as amended agreed to.

Bill reported with amendments, and read a third time.

## APARIMA BRIDGE.

Mr. RICHARDSON moved, That the Order of the day for a Committee of the whole House, to consider of an address to His Excellency the Governor, requesting him to cause to be placed on the Supplementary Estimates a sum sufficient for the erection of a bridge suitable for heavy traffic on the Aparima River at or near Collie's Ford, be discharged.

Mr. STOUT moved, as an amendment, That the House go into Committee to consider the resolution.

Question put, "That the words proposed to be left out stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	20
Noes	...	...	...	...	30
					—
Majority against...	...	...	...	...	10
					—

*Major Atkinson*

## AYES.

Major Atkinson,  
Mr. Baigent,  
Mr. Curtis,  
Mr. Fitzroy,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Johnston,  
Mr. Kelly,  
Mr. Kennedy,  
Mr. Macfarlane,  
Captain Morris,

Mr. Ormond,  
Captain Russell,  
Mr. Stevens,  
Mr. Sutton,  
Mr. Teschemaker,  
Mr. Wason,  
Mr. Woolcock.

*Tellers.*

Mr. McLean,  
Mr. Richardson.

## NOES.

Mr. Ballance,  
Mr. Barff,  
Mr. Bunny,  
Mr. Carrington,  
Mr. De Lautour,  
Mr. Dignan,  
Sir R. Douglas,  
Mr. Fisher,  
Sir G. Grey,  
Mr. Joyce,  
Mr. Macandrew,  
Mr. McLean,  
Mr. Montgomery,  
Mr. Murray,  
Mr. Nahe,  
Mr. O'Rorke,

Mr. Rees,  
Mr. Reid,  
Mr. Rowe,  
Mr. Seymour,  
Mr. Sheehan,  
Mr. Shrimski,  
Mr. Swanson,  
Mr. Taiaroa,  
Mr. Takamoana,  
Mr. Tawiti,  
Mr. Tole,  
Mr. W. Wood.

*Tellers.*

Mr. Hislop,  
Mr. Stout.

The amendment was consequently agreed to, and the House went into Committee to consider the resolution.

## IN COMMITTEE.

Mr. REID moved, as an amendment, That, after the words "heavy traffic," the words "on the Taieri River, at East Taieri," be inserted.

Major ATKINSON was rather surprised at the attitude taken up by the Government in regard to this question. If they had intended to vote for the resolution, why had they not placed the sum on the Supplementary Estimates, and so saved the time of the House?

Mr. KENNEDY moved, That the Chairman leave the chair; because this resolution was brought forward by the honorable member for Riverton chiefly on the ground that his (Mr. Kennedy's) honorable colleague carried a similar resolution for a bridge over the Grey Valley. He now found that some of the members who were supporting the present motion had voted against that of his honorable colleague. He could also remember that the Native Minister declared in his place that he would not be found opposing votes for any works because they were presented by members of the Opposition, or supporting votes because they were presented by those who supported him. This was a case in point, and he was sure that the members of the Ministry were no more aware of the circumstances of this bridge than they were of that proposed by his colleague for Grey Valley.

Mr. W. WOOD said it was very desirable that they should waste no more time over this matter. There had been discussions upon it, and two divisions, and the resolution had been carried. With regard to the proposed bridge over the Grey River, that would involve the ex-

penditure of as many thousands as the construction of the bridge over the Aparima would cost hundreds, and he thought the latter was a work of more importance than the former.

Mr. WOOLCOCK said it was true that this matter had been discussed, and, if he remembered rightly, the honorable member who brought forward the motion was anxious to withdraw it, but he was compelled to go to a division, and the division was in favour of the resolution. They were now going to follow up that by compelling the honorable gentleman to accept a vote which he was only too anxious to withdraw. He was not aware that money was so very plentiful that the Government should be so exceedingly anxious to burden the Supplementary Estimates with an amount for the object stated.

Mr. RICHARDSON said his reason for moving that the Order be discharged was, that the resolution come to on a previous occasion had been carried absolutely against the wish of the honorable member for Riverton. He thought they should have some expression of opinion from the Government as to whether they approved of this motion or not.

Mr. SHEEHAN hoped the House would allow the resolution to pass, as nothing would come of it this session.

Captain MORRIS hoped the honorable member for Grey Valley would withdraw his motion, after the assurance just given by the Hon. the Native Minister.

Motion, "That the Chairman do leave the chair," put and negatived.

Question put, "That the resolution be agreed to," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	23
Noes	...	...	...	...	21

Majority for	...	...	...	...	2
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## AYES.

Mr. Barff,  
Mr. Bunny,  
Mr. Carrington,  
Mr. De Lautour,  
Sir E. Douglas,  
Mr. Fisher,  
Mr. Hialop,  
Mr. Joyce,  
Mr. McLean,  
Mr. Montgomery,  
Mr. Murray,  
Mr. Nahe,

Mr. Reid,  
Mr. Rowe,  
Mr. Sheehan,  
Mr. Shrimski,  
Mr. Swanson,  
Mr. Takamoana,  
Mr. Tole,  
Mr. Williams,  
Mr. W. Wood.  
*Tellers.*  
Mr. Rees,  
Mr. Stout.

## NOES.

Major Atkinson,  
Mr. Baigent,  
Mr. Bowen,  
Mr. Brandon,  
Mr. Dignan,  
Mr. Gisborne,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Johnston,  
Mr. Macfarlane,  
Captain Morris,

Mr. Ormond,  
Mr. Richardson,  
Captain Russell,  
Mr. Stevens,  
Mr. Sutton,  
Mr. Teechemaker,  
Mr. Wason,  
Mr. Woolcock.  
*Tellers.*  
Mr. Fitzroy,  
Mr. Kennedy.

The resolution was consequently agreed to, and reported to the House.

Question put, "That the resolution be read a second time;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	25
Noes	...	...	...	...	28

Majority against...	...	...	...	...	1
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## AYES.

Mr. Ballance,  
Mr. Barff,  
Mr. J. C. Brown,  
Mr. Bunny,  
Mr. Carrington,  
Mr. De Lautour,  
Mr. Fisher,  
Mr. Hamlin,  
Mr. Joyce,  
Mr. Montgomery,  
Mr. Murray,  
Mr. Nahe,  
Mr. O'Rorke,

Mr. Rees,  
Mr. Reid,  
Mr. Rowe,  
Mr. Sheehan,  
Mr. Shrimski,  
Mr. Swanson,  
Mr. Tairora,  
Mr. Takamoana,  
Mr. Williams,  
Mr. W. Wood.  
*Tellers.*  
Mr. Hialop.  
Mr. Stout.

## NOES.

Major Atkinson,  
Mr. Baigent,  
Mr. Beetham,  
Mr. Bowen,  
Mr. Brandon,  
Mr. Curtis,  
Mr. Dignan,  
Mr. Gibbs,  
Mr. Gisborne,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Johnston,  
Mr. Kennedy,  
Mr. Macfarlane,

Mr. Moorhouse,  
Captain Morris,  
Mr. Ormond,  
Mr. Richardson,  
Captain Russell,  
Mr. Stevens,  
Mr. Sutton,  
Mr. Tole,  
Mr. Wason,  
Mr. Woolcock.

*Tellers.*

Mr. Fitzroy,  
Mr. Teechemaker.

The motion was consequently negatived.

## RAILWAY SURVEYS.

On the motion for going into Committee of Supply,

Mr. MONTGOMERY said that, as it was possible that certain Bills passed by the House might not become law, he would move, That it is desirable that the Government should, during the recess, cause extended surveys to be made of the lines mentioned in the following Bills: The Strath Taieri Railway Bill, the Canterbury Railways Bill, and the Hutt-Waikanae Railway Bill; and cause the result of such surveys, with the estimated cost of the construction of the railways, to be laid before the House next session.

Mr. SPEAKER informed the honorable member that he could not move the motion, as it referred to works which had already received the consideration of the House and been dealt with by it.

Mr. MACANDREW would like to state that he regretted that the honorable gentleman should have anticipated that the other branch of the Legislature would deal so unceremoniously as to throw these Bills out. In any case, he thought the Government would be perfectly warranted, after the resolutions which had been come to by

the House with respect to these railways, in getting the surveys made. That would, he believed, cost very little.

#### GOLD FIELDS MUNICIPALITIES.

Mr. GISBORNE said that, at the instance of the honorable member for Auckland City East, an amendment was introduced into the Financial Arrangements Bill by which the proceeds of mining leases in gold fields municipalities were to be given to the municipality, but no provision was made with regard to the export duty. He would ask the Premier to consider during the recess whether a share of the gold export duty should not also be given to the municipality.

Sir G. GREY said the subject would be considered during the recess, with a view to coming to some arrangement next year.

#### WASTE LANDS SALE BILL.

The House proceeded to consider the amendments made by the Legislative Council in this Bill.

Mr. SHEEHAN said the Legislative Council had made a most important amendment in the Bill, having struck out the clause which had been inserted in the House making the homestead system applicable to the whole of the colony. As a majority of the House had agreed to that provision, he did not think honorable members would like to give it up, at all events, without having a Conference with the other House on the subject. He would therefore move, That the amendment be disagreed to.

Mr. BOWEN thought it would be a pity to spend time now in having a Conference. The matter had already been fully discussed. His objection was this: that, if a system of this sort was to be introduced, it ought only to be after careful consideration of the different land laws of the various parts of the colony.

Question put, "That the amendment made by the Legislative Council in section 10 of the Waste Lands Sale Bill be not agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	29
Noes	...	...	...	...	28
Majority for	...	...	...	...	1

#### AYES.

Mr. Baigent,	Mr. O'Rorke,
Mr. Barff,	Mr. Pyke,
Mr. Bunney,	Mr. Reid,
Mr. Burns,	Mr. Rowe,
Mr. De Lautour,	Mr. Sheehan,
Mr. Fisher,	Mr. Shrimaki,
Sir G. Grey,	Mr. Sutton,
Mr. Hamlin,	Mr. Tairaoa,
Mr. Hialop,	Mr. Takamoana,
Mr. Hursthouse,	Mr. Tole,
Mr. Joyce,	Mr. W. Wood,
Mr. Macandrew,	Mr. Woolcock.
Mr. Montgomery,	<i>Tellers.</i>
Mr. Murray,	Mr. J. O. Brown,
Mr. Nahe,	Mr. Rees.

*Mr. Macandrew*

#### NOM.

Major Atkinson,	Mr. McLean,
Mr. Ballance,	Captain Morris,
Mr. Beetham,	Mr. Richardson,
Mr. Bowen,	Mr. Seymour,
Mr. Brandon,	Mr. Stevens,
Mr. Bryce,	Mr. Stout,
Mr. Carrington,	Mr. Swanson,
Mr. Curtis,	Mr. Tawiti,
Sir R. Douglas,	Mr. Teschemaker,
Mr. Gibbs,	Mr. Travers,
Mr. Hunter,	Mr. Wason.

#### Tellers.

Mr. Fitzroy,
Mr. Rolleston.

The motion was consequently agreed to, and Managers were appointed to draw up reasons for disagreeing with the amendment.

#### SUPPLY.

The House went into Committee of Supply.

#### CLASS I.—IMMIGRATION AND PUBLIC WORKS.

Immigration, £184,626.

Mr. GISBORNE thought that the expenditure in free immigration should cease. He was quite willing that the nomination system should continue. He considered that immigration should be left to the voluntary and nomination systems. He should like to know whether it was the intention of the Government to reduce free immigration.

Mr. MACANDREW said that, practically, immigration was now being confined to nominated immigrants.

Mr. TRAVERS said that the Government should consider the whole question of immigration, with the view of affording assistance to other persons than those of the labouring classes, and who would make valuable settlers. It was very hard that those persons should have to come out at their own expense, while labourers received considerable assistance in the reduction of passage-money.

Major ATKINSON hoped that the Government would consider the matter seriously before they resolved to do away with free immigration. That system should not be allowed to cease until there was a stream of immigration to the country of not less than 5,000 persons annually. If they ceased to introduce a moderate number of people, he was quite sure that the hard times which usually succeeded, more or less, a period of prosperity would be considerably increased. No doubt the most desirable class of immigrants were those nominated by their friends: still, he trusted that the Government would not give up the system of free immigration.

Mr. MACANDREW said that, from a return which had been published showing the monthly number of nominated immigrants, it would be found that the number was increasing rapidly, and now amounted to more than 5,000 persons per annum.

Mr. SHEEHAN said the intention was to gradually reduce the free system of immigration. That system must some time come to an end.

They would be able to keep up a regular stream of immigration by the nomination system.

Item, £184,626, agreed to.

Advances for immigration purposes, £14,330 13s. 7d., agreed to.

#### CLASS II.

Public Works, Head Office, £14,775, agreed to.  
Agent-General's Department, London, £1,677 10s.

Mr. REES said he thought instructions should be given to keep the expenses of this department down as low as possible. He hoped the Government would give attention to the matter during the recess.

Mr. STEVENS said this sum was at present paid out of loan, but he thought it ought to be borne on the ordinary revenue of the colony. Although the office was largely connected with public works, it was also intimately connected with the Postal and other departments, and its cost should therefore be borne on the ordinary revenue.

Mr. MACANDREW said instructions had been given by the late Government, and were being followed up by the present Government, to reduce the expense of the department as much as possible.

Item, £1,677 10s., agreed to.

Photo-lithographic and lithographic branches, £2,525 10s., agreed to.

#### CLASS III.—RAILWAYS.

Kawakawa, £6,113, agreed to.

Kaipara-Paniu, £142,830, agreed to.

Napier-Manawatu, £75,663, agreed to.

Wellington-Masterton, £162,677, agreed to.

Waitara-Patea, £50,000, agreed to.

Patea-Manawatu North, £141,956, agreed to.

Nelson-Foxhill, £11,083, agreed to.

Picton-Blenheim, £29,235, agreed to.

Brunner-Greymouth, £35,006, agreed to.

Westport-Ngakawau, £38,234, agreed to.

Amberley-Waitaki and northwards (with bridge and branch lines), £182,754.

Mr. WASON drew attention to the want of storage for grain on this particular line. The report of the Railway Committee touched upon this matter, but did not deal with it in an altogether satisfactory manner. They considered that it was not the duty of the Government to provide storage, but he thought the Government, acting as common carriers, should make proper provision for storage. At the present time they did not do so, and the result was that great injury was inflicted upon the farmers, who desired to get their wheat on board ship as quickly as possible, and to have it properly taken care of in transit. At present it was thrown down on the ground, wet or dry, a tarpaulin was thrown over it, and there it was allowed to remain. The matter was really of importance to the farmers, and he trusted that the Government would give attention to it.

Mr. SHEEHAN said there was no doubt that everything should be done to facilitate traffic. The Government would carefully consider the report of the Railway Committee, and would

carry out those recommendations which would conduce to that end.

Item, £182,754, agreed to.

Waitaki-Bluff (with branches), £365,488, agreed to.

Winton-Kington, £39,296, agreed to.

Western Railways, £37,587, agreed to.

Surveys of new lines and roads, £10,000, agreed to.

Estimated additional cost of land on authorized lines of railway and additional rolling stock, £43,208.

Mr. BURNS hoped the Government would give effect to the resolution of the House with reference to the manufacture of rolling stock in the colony.

Item, £43,208, agreed to.

#### CLASS IV.—ROADS.

North Island, £32,071 0s. 8d., agreed to.

Nelson South-West Gold Fields, £17,801 5s. 4d., agreed to.

Westland, £19,163 4s. 8d., agreed to.

Hokitika-Christchurch, £5,000, agreed to.

#### CLASS V.

Land Purchases, North Island, £91,825 19s. 9d., agreed to.

#### CLASS VI.

Waterworks on gold fields, £90,907 6s. 2d.

Mr. GIBBORNE would call attention to the question of the Miconui Water-race. This was a work which was absolutely essential to the proper development of the gold field of that district, and, if constructed, would turn that which was now a comparatively poor gold field into a very rich and populous one. It was necessary to have high water pressure in order to work the district properly, as was shown, by papers presented to the House, to be the opinion of professional men. He might also say that the opinion of the late Colonial Treasurer was strongly in favour of the construction of this work, as would be seen by a reference to the report in *Hansard* upon the subject. In that year a sum was put down for a preliminary survey, and last year £16,000 was put on the Estimates for the construction of the first section of the race, including the tunnel. The Government called for tenders for that work, and it was found that the cost would be one or two thousand pounds more than had been voted. No tender was accepted for the construction of the work, and this year there was a sum of £15,650 put on the Estimates, but attached to it was a condition, expressed in the Statement of the late Minister for Public Works, that that sum would be given as a sort of bonus to any contractor who satisfied the Government that he would complete the race. There were practical difficulties in the way of carrying out such an arrangement, and he hoped the present Government, looking to the importance of the work, and also to the pledge which had been given by the colony that it should be carried out, would take steps to have it completed.

Mr. TRAVERS would be glad to support any vote for striking out the whole of this class. In

no other country did the Government undertake to make water-races for gold companies. In California, for instance, they were made by private companies, and were found to be very profitable undertakings. Here, however, the Government was in the habit of constructing these works, receiving some indirect return in the shape of interest on the cost of construction. The prices charged for the use of sluice-heads to companies by those who undertook to construct water-races in California and Oregon were sufficient to induce a large number of persons to engage in that work. He believed, in some cases, as much as a quarter to three-quarters of a million of money had been invested in such works, and had been found a very profitable investment. Some of the races were from eighty to ninety miles in length, and carried small rivers, doing great benefits to the districts through which they ran. He looked upon these works as of that class of political works which recommended themselves so much to members from the gold fields, because they could go back to their constituents with all the *déclat* of having secured for them out of the revenues of the colony sums of money for developing an interest which ought to bear the whole cost of the machinery necessary to bring it into operation.

Mr. MACANDREW said the Government had had this matter under consideration, and he might say that the statement of the honorable member for Totara was perfectly correct. The sum intended to be applied to the work by the late Government was £16,000, but it was found that it would cost some £70,000 to £80,000. The present Government intended to see if the work could not be constructed during the recess, and at a less price than the tenders which had been sent in. If private individuals could be found to undertake the construction of the race, the Government would be disposed to go on with it. The total cost was estimated at from £70,000 to £80,000, and, if the sum of £16,000 was taken from that, it would leave something over £60,000 to be found by private individuals. The Government would then be prepared to guarantee a company 3 per cent. if the county would guarantee another 3 per cent., so as to make the total guarantee 6 per cent. on the work. This was no new idea, as the same class of works had been carried out in other parts of the country. Whether they would turn out a success or not remained to be proved, but at all events there was this to be said, that, if unsuccessful as mining works, they would be very successful for agricultural purposes, as they would make large areas of country available for the agriculturist. With regard to the country through which the race now proposed would pass, he was not aware whether or not the same remark would apply, or what extent, if any, of agricultural country the race would affect.

Mr. TRAVERS had merely said that this class of works was peculiar to the Government of New Zealand, not that this particular work was new to the colony.

Mr. REES thought the argument of the honorable member for Wellington City might just as well

*Mr. Travers*

be urged with regard to railways as with regard to these works, because railways were also constructed by private companies in America. The work in question was absolutely removed from the class of works called *particular*, as he knew very well, having been in Westland in 1869, when it was proposed to undertake the work. Had the Government of that day taken the matter in hand when it was found that the County Council could not undertake it, there would now be many thousand more people in the district. The race, if completed, would be of enormous value, and he trusted that the House would see that something was done in the matter. This class of works was not at all exceptional to New Zealand, because in the Colony of Victoria large sums of money were spent by the Government in the construction of reservoirs for gold fields.

Mr. BARFF pointed out that it would be very wrong to deal hardly with this portion of the Estimates simply because the House was recommended to do so by an honorable gentleman who really had no practical knowledge whatever of gold fields. With regard to the particular work alluded to by the honorable member for Totara, it would be a dead loss not to go on with the work, as there had already been a large expenditure on it.

Mr. ORMOND said that very large sums had been spent on these water-races. With regard to this particular water-race, after the vote was taken it was found that a very much larger sum would be required to complete the race, otherwise no benefit would be derived from it. He was glad to hear the Minister for Lands state that the Government would not agree to the expenditure unless on condition that money was found by private enterprise to assist in completing the work. That was the understanding of the late Government, and they would not have committed the colony to an expenditure of £81,000.

Mr. GIBBS, after the discussions which had taken place during previous sessions with regard to this work, felt that it would be as well to consider whether it would not be better to lose the money—£349,000—already spent on the work rather than incur the great expenditure now proposed. There was a conflict of opinion as to the value of the work, and his own opinion was that the money spent by the colony on such works would be found to be the least valuable and the least profitable to the colony of any expenditure.

Mr. MURRAY thought that this was a matter which might be left in the hands of the Government, as they would no doubt spend the money in such a manner as would be most advantageous to the public at large.

Mr. DE LAUTOUR observed that there was a sum of £2,800 on the Estimates for the maintenance of the Mount Ida Water-race, which was now producing a revenue. He understood that the late Government intended to cease to pay the engineer. He wished to point out that the County Council, with a revenue of £5,000 a year, could not afford to keep an engineer. It would be a wise thing to make up the Road Inspector's salary to the amount he received as District Engineer, so that the county might be able to

retain his services. It would be a great pity for the Government to leave a work of such magnitude to be cared for during the next twelve months by an unskilled person.

Mr. MACANDREW said that the matter would be considered by the Government.

Mr. ORMOND said the proposal of the late Government was to hand over these races, when completed, to the County Councils to be managed by them, and that the counties should have the revenues derived from them. Proposals to that effect were made to the County Councils, but they considered that the responsibilities were too large, and they did not undertake them. By adopting that course they lost a large amount of revenue.

Item, £90,907 6s. 2d., agreed to.

#### CLASS VII.

Prospecting and developing of coal mines, £1,000, agreed to.

#### CLASS VIII.

Telegraph extension, £24,700, agreed to.

#### CLASS IX.

Public buildings, £26,652, agreed to.

Postal and telegraph, £11,315, agreed to.

Customs, £760, agreed to.

Offices for public departments, £35,875, agreed to.

Lunatic asylums, £34,300.

Mr. TRAVERS said the £2,000 put down for Wellington would be insufficient to improve the Asylum so as to afford the necessary accommodation, when they considered the large number of lunatics there were in that institution. A more ill-constructed and ill-contrived building than the Wellington Asylum never was erected for the purpose for which it was intended.

Item, £34,300, agreed to.

Miscellaneous, £2,900, agreed to.

School buildings, £50,000.

Mr. TRAVERS said that, when the late Government expressed their intention of putting a vote of £50,000 on the Public Works Estimates for school buildings, the House was anxious to know in what way the money was to be spent. There was a rumour afloat that, of that sum, £34,000 was to be expended on school buildings in Canterbury. The Committee would like to have some information as to the mode in which this vote was to be expended or distributed.

Mr. SHEEHAN said there was no arrangement made of the kind referred to. The sum was placed on the Estimates to meet the requirements of the whole colony.

Mr. BOWEN was at a loss to understand how the honorable member for Wellington City could have entertained the idea that the greater proportion of the money was to be expended in Canterbury. The proposal of the late Government was to spend the money where there was the least school room. There was more school room in proportion to population in Canterbury than elsewhere. The rumour alluded to was absolutely contrary to what the late Government had stated to the House on this subject.

Item, £50,000, agreed to.

#### CLASS X.

Lighthouses, £33,800, agreed to.

#### SUPPLEMENTARY ESTIMATES.

LIABILITIES, 1876-77, CHARGEABLE ON CONSOLIDATED FUND.

Public Departments, &c., £64,370, agreed to.

Legislative Departments, £2,500.

Mr. RICHARDSON wished to know whether the Government intended to spend this money. There was a notice of motion on the Paper disagreeing with the proposal to erect a library.

Mr. SHEEHAN said the matter was entirely in the hands of the House. The vote, he understood, was placed on the Estimates at the suggestion of the Joint Library Committee.

Major ATKINSON said the Library Committee addressed the late Government on the subject, and were very urgent in regard to the matter. His own view was, that it might be allowed to stand over; but the Speakers of both Houses were of opinion that the building should be gone on with without delay, and the Government did not feel justified in opposing it.

Mr. STOUT thought the present library buildings would answer all purposes for a considerable time, and there was, therefore, no necessity to erect a new building.

Mr. ROLLESTON pointed out that the library was an exceedingly valuable one, and the buildings were eminently unsuitable on account of the risk of fire. The Committee were of opinion that a fire-proof building should be erected on the site at the back of the Parliament Buildings. If the seat of Government was to remain here, a proper building should be provided for the safe custody of the books.

Mr. SWANSON thought the library should be readily accessible, and not on a detached site, in order that members should be close at hand when a division took place.

Mr. BURNS hoped the Committee would pause before passing the vote. The whole of the Parliamentary Buildings were a muddle from beginning to end, and it would be a mistake to go on patching them. He should strongly oppose the vote.

Mr. BRANDON considered it a pity honorable members should take that view. The library, which was an exceedingly valuable one, was in very great danger; and, as to the inaccessibility of the proposed new buildings, members could easily be warned of divisions by means of an electric bell.

Question put, "That the item be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	22
Noes	...	...	...	...	33
Majority against	...	...	...	...	11

#### AYES.

Mr. Ballance,  
Mr. Bowen,  
Mr. Bunny,  
Mr. Curtis,

Mr. Ormond,  
Mr. Pyke,  
Captain Russell,  
Mr. Seymour,

Mr. De Lantour,  
Mr. Dignan,  
Mr. Fitzroy,  
Mr. Gibbs,  
Sir G. Grey,  
Mr. Hunter,  
Mr. Johnston,  
Captain Morris,

Mr. Stevens,  
Mr. Taiaroa,  
Mr. Teschemaker,  
Mr. Wason.

*Tellers.*

Mr. Brandon,  
Mr. Rolleston.

**NOES.**

Major Atkinson,  
Mr. Baigent,  
Mr. Barff,  
Mr. Beetham,  
Mr. Bryce,  
Mr. Carrington,  
Sir R. Douglas,  
Mr. Fisher,  
Mr. Gisborne,  
Mr. Hamlin,  
Mr. Hialop,  
Mr. Hursthouse,  
Mr. Joyce,  
Mr. Kelly,  
Mr. Kennedy,  
Mr. Macandrew,  
Mr. Macfarlane,

Mr. McLean,  
Mr. Montgomery,  
Mr. Murray,  
Mr. Nahe,  
Mr. Rees,  
Mr. Reid,  
Mr. Rowe,  
Mr. Sheehan,  
Mr. Shrimaki,  
Mr. Swanson,  
Mr. Takamoana,  
Mr. Tole,  
Mr. Travers,  
Mr. Woolcock.

*Tellers.*

Mr. Burns,  
Mr. Stout.

The item was consequently struck out.  
Stamp Department, £142 10s., agreed to.  
Electoral Department, £25, agreed to.  
Crown Lands Department, £11,350, agreed to.

**CLASS II.**

Department of Justice, £60, agreed to.  
Land Claims Office, £350, agreed to.  
Supreme Court, £12, agreed to.  
District Courts, £25, agreed to.  
Resident Magistrates' and Wardens' Courts,  
£781 12s. 6d., agreed to.  
Prisons, £472 18s., agreed to.

**CLASS III.**

Telegraphic, £15, agreed to.

**CLASS IV.**

Marine, £3,203 18s. 1d., agreed to.

**CLASS IX.**

Office of Colonial Architect, £25, agreed to.

**CLASS X.**

Railways, £250, agreed to.

**CLASS XI.**

Miscellaneous, temporary, and special objects,  
£24,827 5s. 8d., agreed to.  
Public libraries subsidies, £5,000, agreed to.

**CURRENT SERVICES—CHARGEABLE ON LAND FUND.**

Crown Lands Department, £1,580, agreed to.  
Surveys, £3,393 0s. 6d., agreed to.  
Miscellaneous, £28,802 7s. 5d.

Mr. STOUT did not understand why the school buildings of Canterbury should have such a large sum voted for them as £15,000.

Mr. McLEAN.—It is chargeable on their Land Fund.

*Mr. Brandon*

Mr. STOUT, under those circumstances, had no objection to the item.

Mr. MONTGOMERY would like to know whether the fact of Canterbury contributing so liberally out of its Land Fund for school buildings would deprive that district of its share of the £50,000 that was to be distributed amongst the different districts for these buildings.

Mr. BOWEN thought the way in which this £50,000 should be distributed would be to ascertain the number of children of school age in each district, and the proportion of school room to that number, and then to distribute the money in such a way that each district should have sufficient buildings in which to educate the children.

Mr. SHEEHAN said the Canterbury people had shown a very good example in this matter. They had taken money from their land for these school buildings, which money they could have devoted to other purposes. The House had nothing to say to that, and would of course distribute the £50,000 without taking this other sum into consideration.

Item, £28,802 7s. 5d., agreed to.

Unauthorized expenditure, £31,796 4s. 1d.

Mr. GIBBS said the item, "Grant to County of Collingwood for road works, West Wanganui Gold Field, £500," should not be placed under the head of "Unauthorized Expenditure." The money had been well expended, but it ought not to be charged upon the consolidated revenue. It should have been charged to the Native Trust Estate Fund. It would be well for the Government to consider whether they should not extinguish the Native title to the estate on which the road works were carried out. There were only a few Natives to deal with, and there would be no difficulty in getting them to dispose of their right.

Mr. SHEEHAN said the county was not charged with the money, and he would inquire as to whether or not it was improperly charged.

Mr. SWANSON wished some information on the item, "Preliminary survey of New Plymouth Harbour, £677 18s. 11d." If that was the cost of the preliminary survey he did not know where the expenditure would lead to.

Mr. KELLY explained that the survey had been made for the Harbour Board by the officers of the Government, who were engaged upon the work for several months. The money would have to be refunded by the Board.

Item, £31,796 4s. 1d., agreed to.

For services in excess of appropriations—Native Lands Court, £3,490 6s. 1d., agreed to.

Supplementary Immigration and Public Works, £186,300.

Mr. MURRAY moved, That the item be reduced by £180,000. He thought the local bodies should construct the roads and bridges.

Mr. SHEEHAN explained that these items existed in almost the same shape when the present Government came into office, and they had evidently been considered by some one of their predecessors. The items for public works would amount to a considerable sum of money, but no doubt honorable members could say that each particular work was an essential one to be carried

out. The position which the Government took up with respect to these items was this: While they took the vote of the House, the Government would satisfy themselves that the particular appropriation was warranted by the fact that it would be a public benefit. There was an objection to this system of voting money. If they were to supplement the moneys already voted to local bodies in the shape of ordinary land revenue, it ought to be done upon some broad and definite principle whereby every local body should have some benefit for the expenditure. They all admitted that; but it was impossible this session to adopt such a system. For some years to come the local bodies would not be able to bear the burdens that would be put upon them. Even with the subsidies they received a great many of them would be unable to maintain the main lines of road and the main bridges. Their funds must be supplemented if they were expected to open up the country for settlement. He referred to those parts of the country where there would be no railway communication for many years, and those parts of the country which were a long way off from any lines of railway. As a matter of fact, large sums would have to be found for some years to come to put the main roads and bridges of the country into something like decent order. The Government, through the pressure of business, had been unable to make inquiries into the respective votes under this head, but they would take care, in respect of every one of those votes, to see that the money ought to be spent in the direction proposed. He proposed asking the House to vote the money in a lump sum, and not make a reduction in any of the items composing the amount. That would be a short way of dealing with the matter.

Mr. BOWEN said no doubt that would be a short way of disposing of the matter, but it was not a reasonable proposal to make. No person taking up these two Estimates for public works could say what part of the country might have a vote given to it and what part of the country might not. There were some who did not think it reasonable to ask for an appropriation for local works of a particular character, while others might have asked for more money than they were entitled to get. That was not a reasonable way of voting the public money. He did not think it was right of the honorable member to ask the House to hand over the whole sum to the Government to expend as they thought fit. The Government might act from a sense of justice, no doubt, but such a discretion should not be given as permitting them to control the expenditure of such enormous sums on public works. If the honorable gentleman meant to say that the Government were to decide whether these works were to be finished or not, of course that was taking all the power out of the hands of the House.

Mr. SHEEHAN said the honorable gentleman was mistaken in saying that the Government were asking for a lump sum to be spent as they thought proper. If the money were spent, it would be spent as the items appeared on the Paper; but, if they were satisfied that any sum

on the list ought not to be expended, it would not be expended, and the Government would, next session, account to the House for their action.

Sir R. DOUGLAS said that, if the honorable gentleman meant to say that the Government would spend the money on such portions of these works as they thought fit, he would decidedly oppose such a proposition. He had got votes passed through the House, and if the House now chose to reject those items he would be perfectly satisfied; but he was not willing to give the Government the power to decide which of these works should be carried out.

Mr. SHEEHAN said that the honorable gentleman had no right to suppose, because the House had passed a resolution affirming the desirability of carrying out certain works, that it had absolutely assented to the necessary expenditure. He thought that the House had dealt very liberally with the honorable gentleman. It had passed his resolution in a very generous spirit, and he should not complain if it were left to the Government to regulate the expenditure.

Sir R. DOUGLAS objected to *sops*. If the House passed a vote for the benefit of his district his constituents expected to receive some benefit, and he was not willing to leave it to the Government to say whether the money should be spent or not.

Mr. TRAVERS understood that the great majority of these votes were brought under the notice of the Government by private members. They could only be placed on the Estimates with the sanction of the Government, who must have sufficient information in regard to them to justify their appearance on the Estimates. Still, it was impossible for the Government to say that all these votes were required, because he saw some which could be readily dispensed with. However, he saw no objection to leaving the Government to deal with the expenditure as if they themselves had brought down the vote originally.

Captain MORRIS thought there was a good deal in what the Minister of Justice said. There were a good many poor districts which required assistance, and it was only fair that the regulation of the expenditure should be left to the Government. He supposed they would spend the money where it was most required.

Mr. MURRAY objected to vote this amount in block. The honorable gentleman in charge of the Estimates said the counties had not the funds. He would like to know whether the Government had the funds. It was not those who cried out loudest who should get most. He would not divide the Committee upon the vote, but he regarded it as a complete sham. It placed too much power in the hands of the Government, and, although the money might be voted on this occasion, he hoped such a vote would never come up again.

Mr. RICHARDSON wished to know whether the Government held themselves to the specific items. He believed that under ordinary circumstances it would be competent for the Government to spend a larger sum upon any individual item, so long as they did not exceed the total vote. He would like to know whether the honor-



able gentleman pledged the Government to adhere to the specific items.

Mr. SHEEHAN said the Government would not go beyond the amount voted in each case, neither would they divert the money from one vote to another.

Mr. RICHARDSON wished to know whether the money put down for harbour improvements was to be spent by the Government or by the Harbour Boards.

Mr. GIBBS said he was slightly interested in this vote, and he hoped that when the honorable gentleman came to expend the sums set down for his district he would give it the full benefit of the amount that appeared on the Estimates.

Mr. STEVENS asked whether he correctly understood the honorable gentleman in charge of the Estimates to say that the Government looked with disfavour upon this system of obtaining small local works under vote of the House, because it appeared to him that this was the beginning of a very serious operation. If this were to be carried on every year, the finances of the colony would be seriously endangered and the Government greatly embarrassed.

Item, £186,800, agreed to.

Public buildings, £4,300, agreed to.

Miscellaneous—Bonus to late Colonial Architect, £500.

Mr. TRAVERS would like to know how this money would be applied. If it was to be treated as part of the personal estate of the late Colonial Architect its distribution would be affected by the question of the validity or invalidity of his will. If, however, it was intended as a gift to the widow, there ought to be some specific mode of appropriation indicated.

Mr. SHEEHAN said that, if the Government were to understand that it was the wish of the House that it should be treated as a gift to the widow, the Government would act upon that desire.

Mr. SWANSON wanted to know whether this money came to the late Colonial Architect by law, or whether it was to be a present. If it was to be a present he would object to it altogether, for that gentleman had been receiving a very good salary, and there were many other persons who wanted it much more than he did.

Mr. STOUT would oppose the item if it was to be given as an additional gift to that which was put on the other Estimates—namely, a sum of £1,256.

Mr. BURNS wished to know if the Government intended to appoint a new Architect, or whether they would get the work done in the different centers.

Sir G. GREY said the Government did not intend to appoint a new Colonial Architect.

Mr. RICHARDSON understood that this item was a bonus which the Government last year considered was due to the late Mr. Clayton owing to the interference with the agreement under which that gentleman was engaged. He presumed that it was because he had not very clearly explained the item last year that it was then rejected. The late Mr. Clayton was engaged by the Govern-

*Mr. Richardson*

ment at a fixed salary, and was entitled to private practice, which he was enjoying to a large extent. When he (Mr. Richardson) took office the Government work had increased so much that he was obliged to stop Mr. Clayton's private practice, and that gentleman was consequently obliged to put a large amount of his work into the hands of another architect in the town. It was on that ground that Mr. Clayton had preferred a claim against the Government for the amount, and the Government considered that he was entitled to even a larger sum.

Mr. STOUT thought it was very wrong, when an item was negative in one session of Parliament, that it should be brought up in the next session. But, seeing the position in which Mr. Clayton's family were left, he would not object to this item, but he certainly would to the other. It was necessary to be just to the colony, as well as generous to individuals, and it must be recollected that it was not with their own money that honorable members were dealing.

Question put, "That the item be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	13
Noes	...	...	...	...	27
Majority against...					14

#### AYES.

Mr. Ballance,  
Mr. Bowen,  
Mr. Dignan,  
Mr. Gisborne,  
Sir G. Grey,  
Dr. Henry,  
Mr. Johnston,

Mr. McLean,  
Mr. Ormond,  
Mr. Richardson,  
Mr. Rowe.  
*Tellers.*  
Major Atkinson,  
Mr. Carrington.

#### NOES.

Mr. Baigent,  
Mr. Beetham,  
Mr. Bryce,  
Mr. Burns,  
Mr. De Lautour,  
Mr. Fisher,  
Mr. Gibbs,  
Mr. Hamlin,  
Mr. Hislop,  
Mr. Hunter,  
Mr. Joyce,  
Mr. Macfarlane,  
Mr. Montgomery,  
Captain Morris,

Mr. Nahe,  
Mr. Pyke,  
Captain Russell,  
Mr. Stout,  
Mr. Sutton,  
Mr. Swanson,  
Mr. Tairaoa,  
Mr. Takamona,  
Mr. Teschemaker,  
Mr. Travers,  
Mr. Woolcock.  
*Tellers.*  
Mr. Murray,  
Mr. Shrimski.

The item was consequently struck out.

Unauthorized expenditure, Public Works Account, £2,197 4s. 5d.

Mr. SWANSON wished to have some explanation of the item, "Charges and expenses of raising loans, £1,736 8s. 8d."

Mr. SHEEHAN said these were charges for raising loans authorized by the House.

Mr. STOUT said the sum had been spent. The vote of last year was insufficient to meet the charges. He suspected that this charge was for raising the loan in Sydney.

Sir G. GREY said this was the cost of raising the loan in Sydney.

Item, £2,197 4s. 5d., agreed to.

#### ADDITIONAL SUPPLEMENTARY ESTIMATES.

##### CLASS I.—PUBLIC DEPARTMENTS.

Legislative Departments, £6,303.

Mr. STEVENS wished some explanation of the item, "Additional to honorarium, £3,500."

Mr. SHEEHAN said it was the amount that was paid last year to honorable members.

Mr. STEVENS thought it was too much. He proposed, That the item be reduced by the sum of £3,500.

Mr. SHEEHAN said that, if honorable members were expected to attend a session of the Assembly lasting five months of the year, it could scarcely be said that the honorarium proposed was too much.

Captain RUSSELL said that the sum of £2,000 was either too much to meet their expenses or it was too little. He thought honorable members could live comfortably in Wellington on an honorarium of £1 a day. He would support the honorable member for Christchurch City.

Mr. STOUT hoped the Government would raise the honorarium to the amount paid to members of the Legislative Assembly of Victoria, for he was sure the members of the New Zealand Assembly performed much more work. If the House was to be in session for four or five months in the year, and a sufficient honorarium were not paid, the result would be that the representation of the people would be placed in the hands of the propertied and wealthy classes. He hoped the House would, by a large majority, put an end to this continual wrangling over the question of honorarium to members. If any honorable members thought it was an improper thing to take the honorarium he trusted they would leave the amount in the Treasury.

Sir G. GREY said that, when the Representation Bill was introduced next session, there would be an excellent opportunity for considering the question of payment of members. He quite agreed with the honorable member for Dunedin City that, if the people of New Zealand were to fairly choose representatives from the whole mass of the population, the members of this House must be properly paid. He would take care that the subject should be considered during the recess, and some settlement come to on the question next year.

Question, "That the item be reduced by £3,500," put and negatived.

Item, £6,303, agreed to.

Lunatic asylums, £1,480, agreed to.

Charitable—Maintenance of hospitals, &c., £20,000.

Mr. STEVENS wished to know what was the full amount which it was proposed to expend on hospitals and charitable aid during the year.

Mr. SHEEHAN said that last year a vote was taken for £34,000, and the amount expended was £38,000 or £40,000. This sum of £20,000 was in addition to the £10,000 already voted for alterations and repairs to hospitals.

Mr. SHRIMSKI trusted the Christchurch

Hospital would not receive more money than was given to other hospitals. He thought the people should contribute towards the maintenance of that institution, as was done in other parts of the colony.

Item, £20,000, agreed to.

##### CLASS II.—LAW AND JUSTICE.

Resident Magistrates' and Wardens' Courts, £386 7s. 6d.

Mr. BOWEN observed an item for the salary of a Resident Magistrate at Geraldine and Ashburton. He might mention that it was intended, whenever a Magistrate was appointed for the district between Christchurch and Timaru, that the centre should be Ashburton. He hoped the honorable gentleman would carry out that intention.

Mr. SHEEHAN said it was proposed to make Ashburton the centre.

Item, £386 7s. 6d., agreed to.

Prisons, £121 12s. 6d., agreed to.

##### CLASS III.

Postal Department, £1,400, agreed to.

##### CLASS IV.

Marine, £700, agreed to.

##### CLASS V.

Education, £29,787.

Mr. SWANSON would like to have some explanation in regard to the items, "Wellington College, £1,574," and "Otago High School, £3,213."

Mr. STOUT replied that the Otago High School had no reserves until the passage of the Bill this session. This vote was one of the results of Abolition, but it would not be necessary to come to the House for a vote again.

Mr. MACANDREW said that the Otago High School vote seemed much larger than it really was, inasmuch as there was a credit on account of the school fees; and, as to the Wellington College, it had no endowments at all. The Provincial Government had been in the habit of voting sums for the College, and, as the Provincial Government had been abolished, clearly the liability devolved on the colony. With regard to Otago, he might say that the fees received rendered the English High School self-supporting, and the Boys' School very considerably so. The Wellington College would have been to a great extent in the same position but for the action of the Legislative Council in throwing out the Bill the other day, which would have enabled its endowments to be utilized.

Mr. TRAVERS explained that the College Governors had entered into certain engagements on the faith of an understanding with the Provincial Government, who undertook to supply a stipulated sum annually for a certain number of years. The Provincial Government had died, but the engagements remained.

Mr. STOUT said he understood that the College Governors divided the sum last year in bonuses to the schoolmasters. The money should have been spent in additions to the teaching staff,

Mr. TRAVERS said this sum was required to meet current expenditure.

Mr. ROWE said it struck him that this money went to aid people who could very well help themselves. If this money were to be voted for high schools and colleges in the large centres there were many other less wealthy populations which should receive assistance of the same kind.

Mr. ROLLESTON agreed with the honorable member. He hoped the country would not be content with primary education only. They should endeavour to follow out the Continental system, and institute secondary and high-class education as well as primary education.

Item, £29,787, agreed to.

#### CLASS VI.

Native schools, £1,500, agreed to.

#### CLASS VII.

Prizes for rifle shooting, £800, agreed to.

#### CLASS IX.

Public buildings, £913, agreed to.

#### CLASS X.

Miscellaneous, special, and temporary objects, £57,231 5s.

Mr. SHEEHAN said the first of the principal items under this head was £10,800 for taking the usual census in 1878. Then there was a sum of £15,000 put down as a settlement of the Sartoris and Downe claim, which had been considered by the Government, and they were paying cash to the amount of 12½ per cent. less than the recommendation of the Committee. Then there was a sum of £15,000 for rewards for gold discoveries and aids to prospecting. The expenditure of that amount was, of course, problematical. The next item to which he would call attention was the vote of £5,500, "Costs and damages payable to plaintiff in *Russell v. Grindell and Didsbury*, and costs of defendants." That was a matter of history, and required no explanation. The item in regard to which he wished specially to make an explanation was £5,000 put down as a final settlement of the Native claim to the Dunedin Princes Street Reserves. That claim had been before the House for a number of years. It finally came before the Native Affairs Committee a few weeks ago, and, after a very patient hearing and taking ample time to consider their verdict, the Committee decided in favour of this amount as a settlement of the whole claim. It was put on the Estimates in deference to the decision of the Committee, but would not be supported by the Government as a whole. He should fight for it himself, but he was sorry to say that he would not have the assistance of his honorable friend the Minister for Lands.

Mr. STOUT thought the allowance to the widow of the late Colonial Architect ought to be reduced to the amount he would have been entitled to under the Civil Service Act—namely, £600. He would not object even to £750 being voted, but he certainly would object to £1,256. As to the item of £500 to Taipari, as a settle-

*Mr. Stout*

ment of his claim for the discovery of gold at the Thames, he should object to that also, as he understood that the Gold Fields Committee had twice reported that there was no claim. With regard to the £15,000 for rewards for gold discoveries and aids to prospecting, he considered that expenditure utterly useless, as gold would be discovered whether the money was voted or not. He most strongly objected to the item of £2,000 for Provincial Executive Officers. They were appointed to act in a provisional capacity for one or two months, and he believed it was purely a voluntary office. Therefore what right had they to ask for a salary? If they accepted this money they would be disqualified from holding their seats in the House. With regard to the £5,000 for the settlement of the Native claim to the Dunedin Princes Street Reserves, he was in a position to say that the last sum paid on this account was understood to be a final settlement of the whole claim. He was present at an interview between the present Minister for Lands and the representatives of the claimants, and it was then definitely understood that no further claim should be made. An actual receipt was given; and yet this claim was brought up again years afterwards. If there was a claim against any one it was against the Corporation of Dunedin, and not against the colony. Then there was the item, £300 for the Colonial Botanical Gardens. Surely that was not for the Gardens at Wellington. If it were he would certainly object to it. There were Botanical Gardens at Dunedin and in other towns of the colony, and, unless this amount was distributed amongst them, he would move that it be struck out.

Mr. SHEEHAN explained that the item £1,256 5s. for the widow and children of the late Colonial Architect was a mistake, as it was larger than the law allowed. It was based on a salary of £900 a year, which was to have been the salary attached to the office this year had the late Colonial Architect lived; but that gentleman had been receiving a smaller salary when he died, and it was not right to calculate the allowance on an unvoted salary. With regard to the £500 to settle the claims of Taipari for the discovery of the Thames Gold Fields, he might say that that reward had been most deservedly earned, for Taipari had been the means of opening up a very valuable gold field just at the time when all other gold fields in the colony were languishing. Taipari's claim had not been allowed so long as he left it in the hands of agents, but when he came down himself and gave evidence before the Committee he proved it most clearly. As for the amount set down for gold field discoveries, he would leave it to the Gold Fields Committee to explain that matter. The House had passed an address asking that these amounts should be placed on the Estimates, and, in his opinion, if a payable gold field could be discovered, it would be money very well spent. With regard to the Provincial Executive Officers, he might say at once that there was no fairer vote on the Estimates than this. These gentlemen rendered important service at a time of political crisis, and had to do not only hard work, but very disagreeable work. If it

had not been for their services the change would have been much more violent than it was.

Mr. STOUT.—But they will be disqualified if they take the money.

Mr. SHEEHAN.—They would not be disqualified. The clause in the Disqualification Act exempted them. With respect to the Princes Street Reserves, he knew, from the statement of Ministers and from the documents laid before the House, that the claim did not lie against the Corporation of Dunedin. However, it was no use talking about the matter, and the Committee had better divide upon the item at once. As for the item, £300 for the Colonial Botanical Gardens, he would point out that the Wellington Gardens had become the distributing centre of the colony, and had been very largely used in that way, as every honorable member in the House who took an interest in the matter must know.

Mr. STOUT would point out that the exemption from disqualification of provincial officers only applied when they accepted office after seeking to be elected members of the Assembly, and did not apply to their holding office at the time. As for the services those gentlemen rendered, he would like to know why the late Government did not appoint the then Superintendent of Otago to act as their Executive Officer instead of sending down one of themselves. Simply because he was strongly in opposition to them. He would move, That the item, "Allowance to widow of the late Colonial Architect, £1,256 5s.," be reduced by £356 5s.

Mr. McLEAN would like to say that a large number of members voted for striking out the £500 put down for the late Mr. Clayton with a view, no doubt, of allowing this item to pass. The £500 had been arranged for before he (Mr. McLean) joined the Government, but he had made inquiries into the matter after he took office, and found that Mr. Clayton was fairly entitled to it, because the Minister made an arrangement with him that when the press of work came on he should give up his private practice. Mr. Clayton at that time had a considerable private practice, which he handed over to another architect, and from inquiries he (Mr. McLean) had made he found that it amounted to far more than this £500: He therefore thought this vote should not be reduced. If public servants could not rely upon a bargain with a Minister, subject, of course, to a vote of the House, it would be very injurious to the interests of the country.

Mr. KELLY thought £500 was reasonable, because it was the amount allowed by the Civil Service Act, which provided that the widow of a Civil servant was entitled to one month's salary for each year's service, provided that it did not exceed one year's salary in the whole.

Mr. CARRINGTON had a perfect knowledge of this matter, and might say that Mr. Clayton told him that he understood from Ministers that he was entitled to accept private practice, and of course he thought it was very hard when the sum to which he was entitled was struck off. The widow of Mr. Clayton was entitled to receive this amount, and he would vote for it.

Question put, "That the item, 'Allowance to widow of late Colonial Architect, £1,256 5s.,' be reduced by £356 5s.;" upon which a division was called for, with the following result:—

Ayes	...	...	...	16
Noes	...	...	...	37
Majority against...				21

#### AYES.

Mr. Baigent,	Mr. Murray,
Mr. J. C. Brown,	Mr. Stevens,
Mr. Bryce,	Mr. Swanson,
Mr. Burns,	Mr. W. Wood,
Mr. De Lautour,	Mr. Woolcock.
Mr. Hislop,	
Mr. Joyce,	<i>Tellers.</i>
Mr. Macandrew,	Mr. Kelly,
Mr. Macfarlane,	Mr. Stout.

#### NOES.

Major Atkinson,	Mr. Montgomery,
Mr. Ballance,	Mr. Moorhouse,
Mr. Beetham,	Captain Morris,
Mr. Bowen,	Mr. Nahe,
Mr. Bunny,	Mr. Ormond,
Mr. Carrington,	Mr. Richardson,
Mr. Curtis,	Mr. Rolleston,
Mr. Dignan,	Mr. Rowe,
Sir R. Douglas,	Mr. Sheehan,
Mr. Fisher,	Mr. Shrimski,
Mr. Fitzroy,	Mr. Sutton,
Mr. Gisborne,	Mr. Taiaroa,
Sir G. Grey,	Mr. Takamoana,
Mr. Hamlin,	Mr. Tawiti,
Dr. Henry,	Mr. Teschemaker,
Mr. Hunter,	Mr. Travers.
Mr. Hursthouse,	<i>Tellers.</i>
Mr. Johnston,	Mr. McLean,
Mr. Kennedy,	Mr. Wason.

The amendment was consequently negatived.

Mr. McLEAN said that the next item, "Land claims of Sartoris, Downe, and others, final settlement, £15,000," was one upon which he would like some explanation to be given.

Mr. SHEEHAN said this amount would cover all these claims.

Mr. CARRINGTON explained that Captain Borrer, when in the colony last year, was asked by the Government what compromise he would make for the settlement of his claim. He said he would take £8,000 in full settlement of his claim; but that was not agreed to. When Captain Borrer went Home he mentioned this to the trustee, who wrote to him (Mr. Carrington), and asked him to make a settlement, provided it was done this session. At the time the award was made the upset price of land was 10s. an acre. There were eighteen claimants altogether, and they were entitled to 34,135 acres of land.

Mr. McLEAN had always held the opinion that this claim should never have been admitted, and if it had not been for the action of the House it never would have been admitted. The Bill introduced in 1871 was passed on the distinct assurance that there was nothing behind the claim referred to in that measure. He was not going to move that the whole item should be

struck out. It was the understanding last year that a member of this House should not advocate such claims in the House. It was also understood that any compensation that was given to such member should be deducted from the sum voted before it was paid. It was stated by the honorable member for Grey Valley that nothing would induce him to take more than 10 per cent. He would therefore move, That the item be reduced by £900, on the ground that no member of the House should receive any pecuniary benefit from any item passed through the House. He was sure he would have the sympathy of the House in that proposal. If the Government pledged itself to take off the vote any commission paid to the agent, who held a seat in this House, he would allow the vote to pass untouched. Let it be understood that the £900 was taken off the amount voted, as commission.

Mr. SHEEHAN said that if the honorable member for New Plymouth had not changed his views with regard to the late Government nothing would have been heard of this opposition. The honorable member for Waikouaiti voted for the claims last year, his name being recorded in its favour on two separate divisions. If the House passed the vote the Government would pay the money over to the persons entitled to receive it, leaving it to them to pay the honorable member for Grey and Bell whatever sum was due to him as commissioner for past services in connection with the matter.

Mr. BOWEN said the honorable member for Waikouaiti was individually opposed to the vote last year, but he voted for it because it was a Government estimate.

Major ATKINSON said there was no doubt the honorable member for Waikouaiti voted for the sum on the Estimates last year as a member of the Government and sank his personality in the Minister. He therefore acquitted the honorable gentleman of any inconsistency. The plain fact was, he was now free to vote as he liked. As was well known, he (Major Atkinson) resisted the claim of the honorable member for Grey and Bell for many years; but the opinion of the House was against him, and, a Committee having reported in favour of the claim, he felt that the honor of the country was concerned, and gave up his own opinion. As a Minister of the Crown he had issued the orders, and it subsequently became his duty, a duty he did not like, to introduce a Bill to satisfy the claim. He thought the Government were treating the claimants very liberally, more liberally than any other holders of scrip had been treated. But he would not say anything more on that point, as it was a matter for the Government and the House to decide. In justice to the honorable member for Grey and Bell he felt bound to say that the honorable gentleman had throughout acted with the simple desire to obtain justice for the claimants, and not from any sordid motives. He had for many years spent a great amount of time and money in their service, and he did not think the House would act wisely in rejecting the vote. It would be better to dispose of the claim once and for all.

Mr. McLean's amendment negatived.

*Mr. McLean*

Mr. STOUT appealed to the members of the Gold Fields Committee to say whether Taipari had any just claim to £500. He would move, That the item be struck out.

Mr. DE LAUTOUR, as a member of the Gold Fields Committee, said that if the vote of £500 to Taipari was passed it would give great dissatisfaction to other claimants, to whom the Committee had to refuse justice because there were no funds. In the case of Ring, of Auckland, who was undoubtedly the first discoverer of gold in New Zealand, the Committee declined to make any favourable recommendation, although they did so with very great regret. The claim of Taipari had twice been before the Gold Fields Committee, and had been twice refused, but this year another tribunal was sought, and a favourable verdict secured.

Mr. KENNEDY said that if the Sartoris and Downe land orders had been issued the land would have had to be selected in Taranaki; therefore this £15,000 should be charged against the land revenue of Taranaki. If that were not done, he would move that the vote be reduced by £5,000.

Mr. SHEEHAN said the honorable member for Mount Ida really did not understand the nature of Taipari's claim. It was not a claim made by Taipari individually; it was the claim of a tribe; and, if these people had refused to allow the land to be opened up, there would never have been any gold mining there. The gold field had paid the amount hundreds of times over, and he certainly thought the money was well deserved.

Mr. NAHE said that the land was opened by the Natives for gold-mining purposes. Ring discovered gold in 1853, but there was not much mining there at the time. Gold was known to exist, but the Maoris would not throw the land open, and in 1866 or 1867 the Government issued a Proclamation, offering £5,000 reward for the discovery of gold. The Thames was opened in 1867, but the division of the reward was not thought to be correct. It was given to persons who were not entitled to it under the Proclamation. For that reason, the Natives petitioned the House several times, and their claims were investigated by the Gold Fields Committee. No witnesses appeared before that Committee; and this year the petition was investigated by the Native Affairs Committee, who reported favourably upon it. He therefore thought the House should deal with it in the same spirit.

Mr. BRYCE said the way this item was described was somewhat misleading. He considered that before the Committee Taipari did not establish a claim for a reward for the discovery of gold; but, at the same time, he thought it was well understood by the Committee that he had established a claim for some consideration by the Government for having assisted to open the gold field. He was requested by Mr. Whitaker, on behalf of the late Government, to tell Taipari that the Government were prepared to admit he had a claim for consideration, and would place a sum of £200 on the Estimates. The Native Minister fell into a slight error if he thought the Native Affairs Committee recommended a pay-

ment of £500. They did not recommend any sum.

Mr. STOUT said that, as he learned now that the late Attorney-General made a sort of bargain with Taipari, and told him that they would place a sum on the Estimates, he thought it would be unfair to break that bargain. He would now withdraw his motion for striking out the item, and would move instead, That the item be reduced by £200.

Mr. BRYCE said the honorable gentleman was mistaken. There was no bargain. There was only a promise to place a sum on the Estimates.

Mr. TAIAROA had heard Taipari say that Mr. Whitaker agreed to give him £500. He did not agree to take that, because he wanted a larger sum.

Mr. Stout's motion for reducing the item, "W. H. Taipari, £500," by £200, negatived.

Mr. STOUT moved, That the item, "Provincial Executive Officers, £2,000," be struck out.

Mr. GISBORNE approved of this item, and hoped it would not be struck out.

Mr. STOUT.—They offered to do the work for nothing.

Mr. GISBORNE.—That is no reason why we should take advantage of them.

Mr. STOUT.—What right has the Government to get members of the House to do work for them?

Major ATKINSON said it was not the fault of the Government. It was not the present Government that employed those gentlemen. He thought it was exceedingly creditable to the present Government to propose this vote, and it would be a very graceful act on the part of the Committee to recognize the very great services which those gentlemen had performed. In many cases they were not political supporters of the late Government. They had rendered great services to the State, and assisted the Government at a critical time, from purely patriotic motives. It was a very graceful act, and he wished to thank the Government for placing this item on the Estimates.

Mr. SWANSON thought that, if those gentlemen's services were to be recognized, they should have it all round. He and other members were appointed a Commission to report on the railways, the gaol, hospital, &c., in Auckland during the recess, and the whole of their time during the recess was taken up with the work. He was sure that they had all suffered considerable loss; yet they never got a coin and never looked for one. He did not see why some members should be expected to do such work gratuitously, while others were paid.

Question put, "That the item, 'Provincial Executive Officers, £2,000,' be struck out;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	28
Majority against	...	...	...	...	12

# AYES.

Mr. Baigent,  
Mr. Ballance,  
Mr. Burns,  
Mr. De Lautour,  
Mr. Joyce,  
Mr. Macfarlane,  
Mr. Montgomery,  
Captain Morris,  
Mr. Murray,

Mr. Nahe,  
Mr. Reid,  
Mr. Rowe,  
Mr. Swanson,  
Mr. Woolcock.

# Tellers.

Mr. Shrimski,  
Mr. Stout.

# NOES.

Major Atkinson,  
Mr. Beetham,  
Mr. Bowen,  
Mr. Brandon,  
Mr. Bryce,  
Mr. Dignan,  
Mr. Fisher,  
Sir G. Grey,  
Mr. Hamlin,  
Dr. Henry,  
Mr. Hislop,  
Mr. Hunter,  
Mr. Hursthouse,  
Mr. Johnston,  
Mr. Kennedy,

Mr. McLean,  
Mr. Ormond,  
Mr. Richardson,  
Mr. Sheehan,  
Mr. Sutton,  
Mr. Taiaroa,  
Mr. Takamoana,  
Mr. Tawiti,  
Mr. Tole,  
Mr. Travers,  
Mr. W. Wood.

# Tellers.

Sir B. Douglas,  
Mr. Gisborne.

The motion was consequently negatived.

Mr. BURNS moved, That the item, "Final settlement of Native claims to the Dunedin Princes Street Reserves, £5,000," be struck out. He knew all the ins and outs of this question, but he would not detain the House by going into them.

Mr. MACANDREW hoped the House would consent to the motion. He never would have paid the £5,000 which he had given to the Natives if he had not considered that it was to be taken as a final settlement of those claims. That was the condition upon which the money was paid, and that was the condition upon which it was received. It would only encourage a bad state of feeling among the Natives, and tend to demoralize them, if these claims were to be brought up year after year. He did not want to do anything unjust to the Natives. If it was clearly proved that they were justly entitled to even £50,000 he would not object to pay it; but these claims should not be brought up on false grounds. He was never more astonished at anything than he had been at the conclusion to which the Native Affairs Committee had come. There were only two members of it, the honorable member for Wanganui (Mr. Fox) and himself, who voted against the report, and they entered their protest against it; but still it was carried. He believed the Chairman of the Committee also was of the same opinion as they were, although he could not give a vote. The Native Minister said the matter had been gone into very fully by the Committee, and all the evidence necessary taken. The fact was, however, that it would have occupied at least three weeks to examine into all the evidence that could have been produced. The question was gone into in 1875 in a Committee of the House, and decided against the Natives. It was twice given against them by the Supreme Court in

Dunedin; and they then went to the Appeal Court, which also gave it against them. Then they sent the question Home to the Privy Council. He gave £5,000 to the Natives rather than let the money get into the lawyers' hands, which it would have done even had the decision been confirmatory of the action of the Court here. His letter to Sir Julius Vogel clearly stated that he did not acknowledge any right or claim on the part of the Natives to the money, but that he thought it would be better to give it to them than allow it to be wasted amongst the lawyers. So far from the members of the Committee having taken abundance of evidence, he did not suppose that, with the exception of the honorable member for Avon and the Chairman, any member of that Committee had taken the trouble to read one-twentieth part of the evidence; and yet when the time came to consider the report a full meeting was obtained, and these gentlemen, some of whom even confessed that they knew nothing about the matter, voted for the adoption of the report. It would have been much better if they had taken the course which the honorable member for Waitaki took, who walked out of the room and did not vote, because he knew nothing of the subject. He believed some of the members of the Committee thought Otago would have to pay the money and not the colony, or they would have voted differently. He was surprised beyond measure at the action of the honorable member for Avon in this matter. That honorable gentleman was actuated by mere sentiment in pandering to the Natives, as in this case he had done.

Mr. BOWEN hoped that, on account of the lateness of the hour, honorable members would not consent to pass this vote. It opened up a very large question, which honorable members would not, at that hour, take the trouble to fully consider. It must not be forgotten that in voting a sum like this they would be creating a precedent of which advantage would be taken, and the consequence would be that a number of other claims, with no foundation, would be sent in. It was not right, at a moment's notice, to vote a sum like this in settlement of claims that had been the subject of debate for years. He did not pretend to know much about the merits of these Princes Street Reserves claims, but from what he had read of the papers on the subject he had imagined that the claims had been finally settled. He would prefer to vote against the item rather than accept it at a moment's notice.

Mr. ROLLESTON thought it was not reasonable for the honorable member for Kaiapoi to ask the Committee to vote against this item because the honorable gentleman himself knew nothing about it. The vote could not be postponed and brought up again this session. It was either right or not, and should be decided at once. The Native Affairs Committee, by a large majority, came to the conclusion that it was right. The Committee did not come to any conclusion as to whether the claim was right or wrong in the beginning. The question they had to consider was, whether the settlement was looked upon as final by both parties. There was no doubt, from

the very full evidence which had been taken, that those who represented the Natives did not consider it a final settlement.

Mr. MACANDREW.—Why did they take the money?

Mr. ROLLESTON said the Committee regarded the question as one to be settled on certain conditions submitted to them. It was a question of arbitration, and those were the limits within which they chose to act. They did not deal with the question of the ownership of the land or the rents before the Crown grants were issued; but the question which they considered was, whether the settlement came to was fully understood by both parties to be final. He believed it was not fully understood that the settlement of the claim was final. The country should deal very liberally with this case, and do that which would make the settlement final. To talk of settling these claims by paying a year's rental for the reserve was simply ridiculous. All that the Natives claimed was, the back rents that had accrued before the grant to the Superintendent. It did not necessarily follow that the claim should be settled by a money payment. His own view was that a reserve should be made such as would satisfy the Natives and thoroughly settle the matter for ever.

Mr. STOUT said the honorable gentleman himself had some dealing with this matter. In one of the letters written by him it was stated that if the Natives received the £5,000 no further claim would be made. The Natives had no legal title to the land. The question was tried in the Supreme Court, and it was decided that they had no legal claim to the land. They agreed to take £5,000, and nothing more was to be heard of the matter. They afterwards petitioned the House, and the Petitions Committee decided against them. They presented another petition, which was referred to the Native Affairs Committee, who gave a decision in their favour. They had got the back rents—they received a sum of £5,000.

Mr. ROLLESTON said he had had nothing whatever to do with the settlement of the case.

Mr. STOUT said that, if it had not been stated in one of the honorable gentleman's letters that there was to be no further claim made by the Natives, not one shilling of the £5,000 would have been paid. It was understood by Mr. Mantell, by the then Superintendent, by Mr. Watt, and by Topi, one of the principal claimants, that that payment of £5,000 was to be a final settlement of the claim. If they were to agree to this vote he did not know where such claims were to end. There were most valuable reserves in Dunedin, and the rents from them only came to £6,000 or £7,000 a year.

Question put, "That the item, 'In final settlement of Native claims to Dunedin Princes Street Reserves, £5,000,' be omitted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	23
Noes	...	...	...	...	28
					—
Majority against	...	...	...	...	5

*Mr. Macandrew*

## AYES.

Mr. Baigent,	Mr. Montgomery,
Mr. Ballance,	Mr. Murray,
Mr. Brandon,	Mr. Richardson,
Mr. Bryce,	Mr. Shrimski,
Mr. De Lautour,	Mr. Stout,
Mr. Fitzroy,	Mr. Teeschemaker,
Dr. Henry,	Mr. Travers,
Mr. Johnston,	Mr. Wason,
Mr. Kelly,	Mr. W. Wood.
Mr. Kennedy,	<i>Tellers.</i>
Mr. Macandrew,	Mr. Bowen,
Mr. McLean,	Mr. Burns.

## NOES.

Major Atkinson,	Mr. Nahe,
Mr. Beetham,	Mr. Ormond,
Mr. J. C. Brown,	Mr. Pyke,
Mr. Bunney,	Mr. Rowe,
Mr. Carrington,	Mr. Seymour,
Mr. Curtis,	Mr. Sheehan,
Mr. Dignan,	Mr. Sutton,
Sir R. Douglas,	Mr. Swanson,
Sir G. Grey,	Mr. Takamoana,
Mr. Hamlin,	Mr. Tawiti,
Mr. Hunter,	Mr. Woolcock.
Mr. Joyce,	<i>Tellers.</i>
Mr. Macfarlane,	Mr. Hursthouse,
Mr. Moorhouse,	Mr. Rolleston.
Captain Morris,	

The amendment was consequently negatived.

Mr. STOUT moved, That the item, "Colonial Botanical Gardens, £300," be struck out.

Mr. TRAVERS said that if the honorable member for Dunedin City would look at the last annual report of the Board he would see that there was a great deal of work done in return for the money voted. Thousands of young trees were reared and distributed to various places, and to those persons who applied for them. There was no other body in New Zealand with which foreign botanical societies could communicate in reference to the rearing and distribution of trees. The Board was the centre of communication with reference to all questions relating to the rearing and distribution of plants throughout the colony. He might state that plants were sent by the Board to all parts of the world. The Board had no endowment of any kind except what it received from the Corporation of Wellington. If honorable members thought it desirable to cut off this £300, the Board could not be expected to take care of the trees and plants, or perform any of the work which it now carried out, and the Gardens would become the property of the city.

Mr. STOUT said that the Domain Board obtained revenue from the reserves which were let on lease. It was the only public garden in the colony that had any reserves at all. The reserves that were let a few months ago in Wellington brought a large revenue to the Board.

Mr. TRAVERS said that the honorable member was labouring under a mistake. When the Town Belt was handed over by the colony to the Municipality a certain proportion of the rent derived from it was to be given for the maintenance of the Botanical Gardens; but that was in no sense an endowment.

Mr. STOUT said it had been decided by the House that the Governors of the Botanical Gardens should receive one-sixth of the rent of the reserves. He held that the Government had no right to maintain a Botanical Garden in Wellington and not in other places. Holding those views, he would move, That the item be struck out.

Mr. MOORHOUSE thought these Gardens were of great advantage to the colony, and, in his opinion, £300 was a very small sum to devote to them. He hoped the House would pass the item.

Mr. MACANDREW considered that it would be better to increase the amount of the item to £1,000 and divide it equally amongst the various Botanical Gardens in the colony.

Mr. JOYCE was of opinion that the seeds of trees which had been referred to were given to people who could very well afford to pay for them.

Mr. MACFARLANE might explain that the Botanical Gardens in Auckland were maintained by private subscription. He thought the people of Wellington should be able to maintain the Gardens themselves.

Mr. SWANSON said that when this sum of £300 was first put on the Estimates six years ago it was understood that it would never be asked for again. A sum was, however, put on the Estimates every succeeding year and passed, with the exception of last session, when the House rejected it. He believed it had been put on the Estimates this year simply because it appeared on the Provincial Government Estimates. Although so much money had been spent on the Gardens they were not to be compared with those of Auckland, and he could not conceive what had become of the money.

Question put, "That the item, 'Colonial Botanical Gardens, £300,' be struck out;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	19
Noes	...	...	...	...	28
Majority against ...					9

## AYES.

Mr. Baigent,	Mr. Reid,
Mr. De Lautour,	Mr. Rowe,
Mr. Dignan,	Mr. Sheehan,
Mr. Hamlin,	Mr. Stevens,
Mr. Hislop,	Mr. Swanson,
Mr. Joyce,	Mr. Tole,
Mr. Macandrew,	Mr. Wason.
Mr. Macfarlane,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Murray,
Mr. Nahe,	Mr. Stout.

## NOES.

Major Atkinson,	Mr. Hunter,
Mr. Ballance,	Mr. Johnston,
Mr. Beetham,	Mr. Kelly,
Mr. Bowen,	Mr. Kennedy,
Mr. Brandon,	Mr. McLean,
Mr. J. C. Brown,	Mr. Moorhouse,
Mr. Bryce,	Mr. Ormond,



Mr. Bunny,  
Mr. Carrington,  
Mr. Curtis,  
Sir E. Douglas,  
Mr. Fitzroy,  
Mr. Gibbs,  
Sir G. Grey,  
Dr. Henry,

Mr. Richardson,  
Mr. Seymour,  
Mr. Teschemaker,  
Mr. Woolcock.

*Tellers.*

Mr. Rolleston,  
Mr. Travers.

The amendment was consequently negatived.

Mr. SWANSON would like to know whether the Government intended to treat all the Botanical Gardens in the same way, as they were all equally entitled to receive assistance.

Mr. SHRIMSKI said the Auckland Gardens were very well kept, and he understood they were maintained by private subscriptions. If the Wellington Gardens were to be subsidized, then all the public gardens throughout the colony should be similarly dealt with.

Mr. GIBBS considered it was for the convenience and health of members of Parliament that the Gardens should be kept up, and therefore it was not worth while striking out the small sum on the Estimates.

Mr. STOUT wanted to know why the Dunedin Gardens should not be kept up at the public expense as well as the Wellington Gardens.

Sir G. GREY said the reason why a vote was proposed for one Garden in the colony was this: Within the last few months, he had received letters from persons in various parts of the world, pointing out the absolute necessity of some Gardens being kept for purposes of exchange with places exterior to New Zealand. A central garden was necessary to supply to other countries trees and plants from New Zealand, and for the purpose of receiving and distributing throughout the colony trees and plants from other countries. He thought it was not only for the welfare of the colony, but also to the advantage of other places, that there should be such a Garden kept up. He was not opposed to giving votes to other places in the colony, if it could be shown that it was necessary to keep more than one Garden; nor would he be opposed, if it could be shown that Wellington was not a suitable place, to subsidize some other Garden.

Mr. BAIGENT thought almost any place in the colony would be better than Wellington.

Mr. SWANSON suggested that suitability should be considered more than central position. The climatic conditions of Wellington were against its being retained as the site of the Colonial Garden. The fact was this: that the Garden was simply a pleasure-ground for the people of Wellington, kept up at the public expense. If the inhabitants of the city could keep two theatres going every night they should be able to keep up their Gardens.

Mr. MOORHOUSE said he quite agreed with the Premier, who took a large view of the case. The Canterbury Gardens, he might mention, had cost the colony ten times the amount the Wellington Gardens had.

Question put, "That the item, £57,231 6s., be agreed to;" upon which a division was called for, with the following result:—

*Mr. Swanson*

Ayes	...	...	...	...	39
Noes	...	...	...	...	14
Majority for	...	...	...	...	25

*AYES.*

Major Atkinson,  
Mr. Ballance,  
Mr. Bowen,  
Mr. Brandon,  
Mr. J. C. Brown,  
Mr. Bryce,  
Mr. Bunny,  
Mr. Burns,  
Mr. Carrington,  
Mr. De Lautour,  
Mr. Dignan,  
Mr. Fisher,  
Mr. Fitzroy,  
Sir G. Grey,  
Dr. Henry,  
Mr. Hunter,  
Mr. Johnston,  
Mr. Kelly,  
Mr. Macandrew,  
Mr. McLean,

Mr. Montgomery,  
Captain Morris,  
Mr. Nahe,  
Mr. Ormond,  
Mr. Pyke,  
Mr. Rolleston,  
Mr. Rowe,  
Mr. Seymour,  
Mr. Sheehan,  
Mr. Stevens,  
Mr. Sutton,  
Mr. Takamoana,  
Mr. Tawiti,  
Mr. Teschemaker,  
Mr. Tole,  
Mr. W. Wood,  
Mr. Woolcock.

*Tellers.*

Mr. Gibbs,  
Mr. Moorhouse.

*NOES.*

Mr. Beetham,  
Sir E. Douglas,  
Mr. Hursthouse,  
Mr. Joyce,  
Mr. Kennedy,  
Mr. Macfarlane,  
Mr. Murray,  
Mr. Reid,

Mr. Richardson,  
Mr. Shrimski,  
Mr. Swanson,  
Mr. Wason.

*Tellers.*

Mr. Hamlin,  
Mr. Stout.

The item was consequently agreed to.

Exchange and commission, £2,593 15s., agreed to.

**CHARGEABLE ON LAND FUND.**

Crown Lands Department, £619, agreed to.

Miscellaneous, £34,118, agreed to.

**CHARGEABLE ON PUBLIC WORKS ACCOUNT.**

Roads, £1,000, agreed to.

Telegraph extension, £2,000, agreed to.

Miscellaneous public works, £55,610.

Mr. RICHARDSON believed that these items had been considered by the present Government, and would like to know why the first item had been placed on the Estimates. It seemed to him that a district like Canterbury, with such a large Land Fund, ought to be able to provide for those small works without applying to the Assembly.

Mr. SHEEHAN said, at that rate, they would have to go back and strike out all the Canterbury votes. He wished to explain, with regard to the item, "Public Works, Feilding Settlement, contribution under agreement, £10,000," that it was to carry out an agreement entered into by their predecessors with the Feilding Association.

Mr. REID said there were many items under this heading for purely county works, and, if they were going to begin a system of placing such items on the Supplementary Estimates, he did not know where it would end. If it were to be the rule, he would see the honorable member and get a road put on the Estimates for the county.

he lived in. It was quite right to agree to the old liabilities for winding up the old state of things, but it was not desirable to introduce this new principle. The Assembly had created counties, it professed to give them subsidies, and was now going to give them a certain proportion of the Land Fund; and why not let them carry out those small works themselves?

Mr. SHEEHAN said the question the honorable gentleman raised had been discussed on previous votes, which had been agreed to, although, according to the honorable member, they were open to the same objection that he had now stated.

Mr. RICHARDSON understood the honorable gentleman to say that the other votes had not been considered by the present Government, who knew nothing about them, but that they were responsible for the Estimates now under consideration.

Mr. SHEEHAN said he had not made any such statement. A number of the votes they passed on the previous occasion were sound and useful votes; but he stated that the Government were not in a position to spend the whole of the money, and the same remark would apply to these items.

Mr. FITZROY asked the honorable member for Akaroa why it was necessary, in respect to the items, "Road, Purau to Port Levy," and "Road, Port Levy to Pigeon Bay," to make those works a charge upon the land revenue of the colony.

Mr. MONTGOMERY said the reason was, that these roads, which were very necessary, had been neglected for many years. Money had been voted out of loan for works all over the colony. They had passed items to the amount of £196,000 without a single word. If these roads were not as necessary as those for which sums were passed in the early part of the evening, the House need not vote them; but, if money was to be voted for making roads in one place, they were just as much bound to make them in another. If the honorable member for Selwyn knew anything of that part of the country he would know that these roads were necessary. He (Mr. Montgomery) would not object to the votes being struck out if the House desired to adopt that course, but if they were struck out all the others should be struck out too.

Mr. REID demurred to the idea that the House should pass these items and leave a discretionary power in the Government to regulate the expenditure. If the House passed the vote it should be passed upon the condition that the money should be expended, unless there was some obstacle in the way, or some very good reason for departing from the vote of the House. The honorable gentleman had thought that some of these might not be spent. Then, why ask the House to pass them? He would move, That the items be struck out, one by one.

Mr. SHEEHAN thought it was rather cool of the honorable gentleman to try to make out a case against them when he himself, two months ago, asked for £50,000, which was to be within his absolute control. If the Government found the expenditure desirable they would go on with

it, but if there were good reasons why it should not be spent it would be saved.

Mr. ORMOND understood that the principle laid down by the honorable gentleman as to the provincial liabilities, when it was understood that the Government should take charge of them, was that there should be equalization: that was to say, that those provinces which had not sent in excessive votes should receive consideration. He might refer specially to the case of Auckland.

Mr. WASON quite agreed with the remark of the honorable member for Akaroa that they should all start fair with those works. Several works in the Ashburton and Selwyn Counties had been brought under the notice of the late Minister for Public Works, as well as that of the present Minister for Public Works, and it was understood that they were to be put on the Estimates, and that every honorable member was to start fair. The items he referred to did not now appear on the Estimates, and it certainly seemed as if the honorable member for Akaroa had got a very good start in the matter. If one county in Canterbury was to be favoured more than another it would produce great dissatisfaction.

Question put, "That the item be omitted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	14
Noes	...	...	...	...	29
Majority against ...					15

#### AYES.

Mr. Fitzroy,  
Dr. Henry,  
Mr. Hursthouse,  
Mr. Macfarlane,  
Mr. McLean,  
Mr. Ormond,  
Mr. Richardson,  
Mr. Rolleston,

Mr. Stevens,  
Mr. Sutton,  
Mr. Swanson,  
Mr. Teschemaker.

#### Tellers.

Mr. Reid,  
Mr. Wason.

#### NOES.

Mr. Baigent,  
Mr. Ballance,  
Mr. Beetham,  
Mr. J. C. Brown,  
Mr. Bryce,  
Mr. Bunny,  
Mr. De Lautour,  
Mr. Dignan,  
Mr. Fisher,  
Sir G. Grey,  
Mr. Hamlin,  
Mr. Hunter,  
Mr. Johnston,  
Mr. Joyce,  
Mr. Kelly,

Mr. Murray,  
Mr. Nahe,  
Mr. Pyke,  
Mr. Rowe,  
Mr. Sheehan,  
Mr. Shrimski,  
Mr. Stout,  
Mr. Taiaroa,  
Mr. Takamoana,  
Mr. Tawiti,  
Mr. Tole,  
Mr. W. Wood.

#### Tellers.

Mr. Hislop,  
Mr. Montgomery.

The motion was consequently negatived.

Mr. REID said he thought the item they had just agreed to was one of the most objectionable on the list, and, as he had entered his protest, he would not now move the omission of any other items. He thought they were entering upon a very dangerous course in thus passing items for districts where they had governing bodies in

existence, and who were not consulted as to the necessity for this vote.

Item, £55,610, agreed to.

#### PUBLIC BUILDINGS.

Judicial, £2,190, agreed to.

Hospitals, £6,000, agreed to.

Offices for Public Departments, £1,600, agreed to.

Lunatic Asylums, £7,500, agreed to.

Miscellaneous, £3,745, agreed to.

#### CHARGEABLE ON PROVINCIAL LIABILITIES ACCOUNT.

Auckland, £1,447 3s.

Mr. MURRAY would call the attention of the Committee to the item, "Refund to H. W. Farnall, £77 3s.," and "H. W. Farnall, final settlement, £500." The Committee was asked to agree to this vote although the Petitions Committee had reported against it. He did not think Mr. Farnall was entitled to this vote, and he would move that it be struck out.

Mr. SHEEHAN explained that £77 3s. was the amount which the Select Committee said Mr. Farnall was fully entitled to, as it was money which he had expended in England on behalf of the colony, and had shown vouchers for. It would be better, therefore, to pass that item.

Mr. HAMLIN thought the honorable member for Bruce was mistaken in his idea. If he would look at the records of the Committee he would find they reported that Mr. Farnall had a claim against the Province of Auckland which ought to be met. They did not say what the exact amount was, because they were not able to do so. The honorable gentleman should not vote against his own report.

Mr. MACANDREW wished this vexed question was settled. There could be no doubt that Mr. Farnall was appointed as an immigration agent at Home, where he had to spend money, and was out of pocket in working for the colony. The Select Committee reported that he was entitled to something, but they could not say how much. He thought £500 would be an equitable settlement of the whole matter, and it would be better for the Committee to vote it.

Mr. MURRAY was aware that the Committee said Mr. Farnall had a claim against the province, but it was no use charging it against a province which could not meet its own engagements, and the colony ought not to be called upon to pay it. The appointment was made by the late Superintendent of Auckland without consulting his Provincial Council, and the colony ought not to have to pay any money expended under those circumstances.

Mr. MACANDREW thought Mr. Farnall had done very good service to the colony, and had induced very many persons to come out here. In fact, his services in this respect had been much more valuable than those of a great many who got double his salary.

Major ATKINSON did not think Mr. Farnall was entitled to any more than he had received. He was appointed by the Government to go Home as their agent when he

*Mr. Reid*

was a member of the Assembly, and his passage was paid Home and out. He was afterwards appointed illegally by the Provincial Government of Auckland, and then he quarrelled with the Agent-General, and, after application to the colony, it was determined that his services should be dispensed with. He then made certain claims against the colony, and an endeavour was made to settle them; but he would not come to any settlement. On his applying to the Assembly the Public Petitions Committee recommended that he should receive £77 in full satisfaction of all claims. He was aware the Committee reported that there might be some claim against the Provincial Government of Auckland, but he did not believe there was any justice whatever in that claim, or that the Committee would have come to such a conclusion if they had considered all the circumstances of the appointment. It was a double appointment, and he was not prepared to admit that Mr. Farnall did any good service to entitle him to any consideration from the House.

Mr. SHEEHAN said the honorable gentleman was wrong in stating that Mr. Farnall was illegally appointed. The Act under which he was to act had been repealed, but that did not render his appointment illegal. Neither did Mr. Farnall hold two appointments. His appointment by the Provincial Government was after he had ceased to be General Government Agent. When the Committee last year recommended that Mr. Farnall should receive the balance due to him by the colony, they also said that he was entitled to something more from the province, but could not define the amount.

Mr. DIGNAN pointed out that the £77 was money which Mr. Farnall had actually expended in England on behalf of the colony, for which he produced vouchers to the Committee. The Committee could not examine the circumstances of his connection with the Province of Auckland; but he had, for two years, been rendering valuable service to the colony.

Mr. SHRIMSKI, as a member of the Public Petitions Committee, felt that he would be doing wrong if he supported the vote. He did not think Mr. Farnall was entitled to more than the £77 which the Committee recommended that he should receive.

Question put, "That the item 'H. W. Farnall, final settlement, £500,' be struck out;" on which a division was called for, with the following result:—

Ayes	...	...	...	...	21
Noes	...	...	...	...	17
Majority for	...	...	...	...	4

#### AYES.

Major Atkinson,	Mr. Ormond,
Mr. Ballance,	Mr. Pyke,
Mr. Beetham,	Mr. Rolleston,
Mr. Bowen,	Mr. Shrimski,
Mr. Bryce,	Mr. Stevens,
Mr. De Lautour,	Mr. Sutton,
Mr. Fitzroy,	Mr. Swanson,

Mr. Gibbs,  
Mr. Hursthouse,  
Mr. McLean,  
Mr. Montgomery,

Mr. Wason.  
*Tellers.*  
Mr. Macfarlane,  
Mr. Murray.

# NOES.

Mr. J. C. Brown,  
Mr. Bunny,  
Mr. Fisher,  
Sir G. Grey,  
Mr. Hialop,  
Mr. Joyce,  
Mr. Macandrew,  
Mr. Nahe,  
Mr. Rowe,

Mr. Sheehan,  
Mr. Taiaroa,  
Mr. Takamoana,  
Mr. Tawiti,  
Mr. Tole,  
Mr. W. Wood.  
*Tellers.*  
Mr. Dignan,  
Mr. Hamlin.

The motion was consequently agreed to.

Item, as reduced, £947 3s., agreed to.

Taranaki, £2,870, agreed to.

Wellington Hospital, £10,000.

Mr. SUTTON wished to know whether the sum of £1,000 which had been asked for the Napier Hospital would be granted.

Mr. SHEEHAN replied that the Napier Hospital would receive its due share of the money voted for hospitals in the colony.

Mr. BUNNY wished to state the circumstances connected with the building of the Wellington Hospital. In the year 1874 an Act was passed by the Assembly authorizing the trustees of the Hospital to sell the reserves and apply the proceeds to the erection of a new hospital. In 1875 the trustees entered into a contract to the extent of £25,000 for the erection of the hospital, and they sold certain reserves to enable them to carry out that contract. Last session a clause was introduced into a Bill, on the motion of the honorable member for the Thames, which prevented the trustees from selling any more of the reserves. The result of the action of the House was that the trustees, having entered into a contract, had no means of carrying it out. If it had not been for the assistance the trustees received from the Bank of New Zealand, which gave them an overdraft of £5,000, they would have been unable to carry out the terms of the contract.

Mr. J. C. BROWN said that the Wellington Hospital had valuable reserves. In Otago there were no reserves connected with the hospitals. He did not think it was desirable that a wealthy city like Wellington should escape scot-free and have this amount voted by the Assembly, while other hospitals in the colony received no assistance.

Mr. BRANDON said the action of the House had prevented the trustees of the Hospital from dealing with their endowments. If the House had not interfered the trustees would have been under no necessity for asking for this vote.

Mr. STOUT said that the trustees, when they found they were unable to carry out the contract, should not have gone on with the building. He would like to know whether any offer had been made to the Government by the trustees.

Mr. BUNNY said the trustees had had a considerable amount of correspondence with the late Government on the subject, but they did not see their way to do anything at all in the matter. The contractors had ordered a considerable

quantity of material from England, and they were bound to carry out the contract. The trustees had made arrangements with the Bank of New Zealand by which they had power to obtain an overdraft to the extent of £20,000, but they had only obtained an overdraft of £5,000. If the authority had not been given by the House in the first instance, the work would not have been gone on with, and the authority was taken away almost on the last day of the session.

Major ATKINSON did not think that the trustees were altogether blameless in the matter. The honorable member for the Wairapa had given a true history of the matter as to authorizing the sale of the reserves and the introduction of a Bill last session to give additional power to the trustees. A clause was introduced into that Bill by the present Premier, prohibiting the sale of the reserves; but in the meantime the contract had been let. After the session the trustees waited upon him (Major Atkinson), and a good deal of correspondence passed. They wanted him to advance money on behalf of the Government to carry on the contract; but he declined to do so. He did not feel warranted in committing the House to the expenditure. He distinctly offered to do this: If they would terminate the contract, he would take upon himself the risk of paying out of unauthorized expenditure any sum that was payable up to that time for material, &c. He told the trustees that the whole matter must be referred to the House for its decision, and that in the meantime the contract should be stopped. The trustees did not see their way to do that, but, despite the Government, they carried on the work. He thought that it was the duty of the trustees to have waited until the House had expressed an opinion on the matter. When Abolition took place he told the honorable member for the Wairapa that the Government would have to take the matter up in some form, and find the money—that they would agree to put a sum on the Estimates, so that the House might be asked to take the whole matter into consideration. That was exactly how the matter stood.

Mr. W. WOOD said that, if the trustees had incurred a certain liability without authority, they were bound in honor to mortgage the reserves for the money required to pay the contractors. He did not see that the House was called upon to vote the money, especially as no money was voted for other hospitals in the colony.

Mr. BRANDON said they could not raise the money by way of mortgage upon the reserves, and an effort was made to effect a compromise. A large quantity of plant had been ordered, and a considerable expense incurred, and they could not well stop the work.

Mr. PYKE said the only way to deal with the matter was for the trustees to hand back the reserves to the Government. They could not want both the reserves and the money. He would support the vote if the reserves were given as security.

Mr. SHEEHAN said some understanding would be come to in regard to the matter.

Major ATKINSON said the Government would have to consider whether it would be advisable to

sell the reserves; but whatever was done would have to be done by legislation. No doubt the trustees would be willing to hand over the reserves so long as they were sure the hospital would be built. If the trustees had accepted his proposal the contractors must have come to their terms, as they had no money to carry on. He thought it would be better to vote this sum and leave the matter in the hands of the Government to do the best they could.

Mr. J. C. BROWN would object to the vote unless the other hospitals in the colony were similarly treated. If the reserves were given as security for the money he would have no objection to vote the money.

Item, £10,000, agreed to.

Nelson, £50, agreed to.

Canterbury, £550, agreed to.

Westland, £374 16s. 7d., agreed to.

Otago, £13,054 19s. 2d., agreed to.

Major ATKINSON was unfortunately absent from the House when the vote was passed for a road at the back of Mount Egmont. He was sorry that the Government had not seen their way to put a larger sum on the Estimates. The road from Opunaki to Stoney River—a distance of thirty miles—had never been made, the Natives placing obstacles in the way. There had been no telegraph put up, and he might say that the road was so bad that the coach had great difficulty in travelling over it. The proposed new road, however, would be a very much better one, and in travelling to New Plymouth a distance of several miles would be saved. As he understood that the Government proposed to make no further land purchases he would ask them to take £10,000 out of the Taranaki Land Purchase Fund for the purpose of making the road passable for traffic. On the road at present in use the Natives were very troublesome, and only a very short time ago they had rescued a prisoner from the hands of the police. If the new road were made all difficulties with the Natives would be avoided. He would ask the Native Minister to introduce a clause into the Appropriation Act providing that the sum of £10,000 should be taken out of the Taranaki Land Purchase Fund for the purpose referred to.

Mr. SHEEHAN understood that the road referred to by the honorable gentleman was a very necessary one. Some member of the Government would be in the vicinity in a short time, and it would then be ascertained whether the road was so urgently wanted as the honorable gentleman made out.

#### UNAUTHORIZED EXPENDITURE.

Provincial Liabilities.—Expenditure, £92,353 15s. 9d., agreed to.

Progress was reported, and leave given to sit again.

The House adjourned at five minutes to four o'clock a.m.

*Major Atkinson*

## LEGISLATIVE COUNCIL.

Friday, 7th December, 1877.

Second Reading—Third Readings—Bills Discharged—  
Disqualification Bill—Canterbury Railways Bill—  
Hutt and Waikanae Railway Bill—Te Aro Reclamation Bill—Railway Bills.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

### SECOND READING.

Lyttelton Harbour Works Bill.

### THIRD READINGS.

Lyttelton Harbour Works Bill, Whangarei Port Bill, Roxburgh Reserve Bill.

### BILLS DISCHARGED.

Foxton Reserves Bill, Timaru Harbour Bill.

### DISQUALIFICATION BILL.

The Hon. Mr. MANTELL.—Sir, before proceeding with the Orders of the day, I wish to ask the Colonial Secretary a question—namely, whether or not he proposes to proceed with the Disqualification Bill.

The Hon. Colonel WHITMORE.—I do not recognize the right of the honorable gentleman to ask me any such question, believing that I am in this matter perfectly entitled to use my own discretion. If the honorable gentleman takes the position of dictating the course that I ought to pursue, of course he must think that I am bound to be guided by him; but if, on the other hand, I am correct in understanding that it is entirely within the right of the Government to decide in what order it will proceed with its own business, or any portion of it, I cannot understand upon what ground the honorable gentleman should ask me to make an announcement which does not appear to me to be at all necessary.

The Hon. Mr. MANTELL.—I might explain that I only asked the honorable gentleman a simple question. I do not for a moment seek to assume any authority to dictate what course the honorable gentleman should pursue. I simply asked him, for the information of the Council, a question relative to a Bill the second reading and the principle of which have been affirmed by the Council: after which, it appears to me that, if the honorable gentleman determines not to submit to the Council the details by which that principle should be carried into effect, he should state so. I therefore simply ask the honorable gentleman whether he proposes to proceed with the Bill.

The Hon. Mr. ROBINSON.—I rise to a point of order. The honorable gentleman can make any explanation, but I do not think he has any right to travel in a different direction, and to lay down to the Colonial Secretary the rule by which he should be guided.

The Hon. Mr. MANTELL.—I simply asked a very plain question of the Colonial Secretary, to which the honorable gentleman has really given no direct answer, but he has given an answer which in itself involves a negative. If the honor-

able gentleman gives no further answer, I shall assume, and I think the Council will be justified in assuming, that the answer amounts to this: that he does not propose to proceed with the Disqualification Bill during the present session. May I ask the honorable gentleman if he will kindly answer that plain question?

The Hon. Colonel WHITMORE.—I do not understand that it is the custom that honorable gentlemen, under the cloak of questions, should introduce wearisome discussions about nothing at all. I decline to give the honorable gentleman an answer.

The Hon. Mr. MANTELL.—Then I would ask permission of the Council to make a motion without notice, it being evident, from the honorable gentleman declining to give an answer, that that is now tantamount to an answer in the negative. I would ask permission to move, without notice, That the committal of the Disqualification Bill be the first Order of the day.

The Hon. Colonel WHITMORE.—I rise to point out that the honorable gentleman is raising a question of order which you, Sir, distinctly decided yesterday, with the assistance of the Chairman of Committees, and which this Council then accepted. The honorable gentleman may have reasons for doing this which possibly may be purely patriotic, and such as might not make it appear to his mind improper, at this period of the session, to disturb the business of the country. I hope it is so. I hope that in the course he is taking he is actuated by some public motive; because that would be some excuse for interfering at this moment with the public business, and showing an insubordinate resistance to the discipline of the Council. That, I think, is the only proper light in which to look upon this case, because you, Sir, decided this question distinctly yesterday, and the honorable gentleman is raising the question again now. Not only did you decide—which was quite enough for every honorable gentleman except the Hon. Mr. Mantell—but you decided the point twice, and the second time so distinctly that it was impossible for the honorable gentleman, by any amount of ingenuity of argument, to evade the absolute rule which you laid down. He was bound then to submit to your distinct ruling, and therefore, yesterday, at last he obeyed it. Now, to-day, that distinct ruling, which it was so difficult to get him to obey yesterday, he wishes to endeavour to set aside again—on the very day when the session might legitimately come to an end, and when most honorable members wish, if possible, that certain private business should be considered. That course, I think, is exceedingly undesirable, and I hope the Council will be true enough to itself to resist it. The honorable gentleman is trying by a direct motion to overrule the decision of the Speaker. The honorable member was informed yesterday that no other member could take out of the hands of the member who introduced it a measure which he did or did not desire to proceed with in this Council. But I point out that, even if it were not the rule with all Bills, it would be most improper to allow private members to cloak, un-

der so inconvenient a form, a direct attack upon the Government. I understand what the honorable gentleman means if he rises in his place and moves a vote of want of confidence in the Government, or a direct vote of censure; but when he rises and virtually tells this Council that he intends to set his judgment against that of the Government, and to take up Bills which the Government have not proceeded with, nor expressed any intention to proceed with, he deliberately states to this Council that he intends to overrule the Government and assume its functions. There is another way of doing that. The honorable gentleman may move a vote of want of confidence, and may be sent for to form a Government of his own liking. That is a position which is quite comprehensible; but I maintain that to force an expression of opinion against the Government under the very flimsy cloak he has endeavoured to cover it with, and to do that in defiance and directly opposed to your decision, shows that there is no obstacle that that honorable gentleman will not overleap, and no decency or discipline that he will not set aside, to gain some object—I presume it is an honorable and a great one—upon which he has set his heart. The discipline of this Council, the obedience to the Speaker, and the acceptance of the Speaker's rulings, are the essential conditions of the proper conduct of business; and if honorable gentlemen are to be allowed, after a distinct and deliberate ruling of those authorities that we are bound to consider final in these matters, to again raise the points which have been decided, they will set aside all order and all proper discipline in the discussions in this Council. The honorable gentleman asked me a question on purpose to elicit an answer which would enable him to do the very thing which he argued last night, in opposition to the Speaker, might be done. He was twice told it could not be done; and now, for the third time, he brings the matter before the Council. I am sure the Council will not be so untrue to itself as to affirm a position which would be at once a censure upon the Government, a censure upon the Speaker, a censure upon the Chairman of Committees, and a revolt from all the usual forms and rules of, I think, all deliberative Assemblies.

Mr. ROBINSON.—I would like to ask the Council whether it is desirable that we should set aside the important business we have yet to transact in order to discuss a motion such as this. I do not think that would be conducive to the interests of either the Council or the country. I think it is more desirable that we should at once proceed to the business on the Paper, and I therefore move, That this debate be adjourned.

The Hon. Mr. HOLMES.—I did not regard the ruling of the Hon. the Speaker as final. The decision in this case will form a precedent, and the question therefore possesses an importance beyond its immediate bearing upon the Bill before us. The question is, whether this Council can order that a Bill once placed before us may be taken up by the Council although the member who introduced it may desire to allow it to drop. In my opinion, once a measure has been fairly

placed before the Council, it is the property of the Council. The Speaker may rule upon any point of order, but it is the right of the Council to determine what course of procedure shall be adopted in such a matter as this. Altogether apart from the merits of the Bill, it is the privilege of the Council to assert its rights in such cases as this. That is my distinct impression, and I think honorable members versed in Parliamentary practice will agree with me.

The Hon. Colonel WHITMORE.—I think, Sir, it would be convenient to the Council if you gave a distinct ruling now, because two honorable members have stated that there was some obscurity in the decision you gave yesterday. Of course, if I am in error as to the effect of that decision, it may be that my whole argument falls to the ground. But, Sir, I did not understand your decision in that way. What the Council did understand, and what it intends, is that whatever you ruled should be followed out, and that it should be left to you to interpret the common practice.

The Hon. the SPEAKER.—I should have been happy to have heard the opinions of those versed in the practice of the Parliaments of countries governed by representative institutions before giving a definite reply; but, as there appears to be a general desire to remain silent, I shall give my decision at once and without the least hesitation. The maturest consideration I have been able to give the subject from three o'clock this morning, that is, on my return home after the hour at which the Council adjourned, entirely agrees with the opinion I gave yesterday. I have referred to all the best authorities on the subject, and I find the general rule to be this:—

"According to the modern practice, each of the different steps in the progress of a Bill can only be taken in pursuance of a motion regularly made and seconded, or supposed to be so, and resolved in the affirmative by the House; and if at any point in the regular course the proper motion proceeding with the Bill is not made, it remains precisely in the state in which it is thus left. . . . If the proper motion for proceeding with a Bill, at each of its several stages, is not regularly made, the Bill is said to be dropped."—(Cushing—Chapter VII., p. 833, section 2134.)

The second reading of the Bill, which was the Order of the day, was put and passed, and no order or notice given for committal. The quotation is in entire accordance with the ruling I gave yesterday, but, in looking over the different authorities, another phase of the question has arisen. I have seen an instance of this phase, which I will describe. It is this: that, when an honorable member in charge of a Bill abandons it, any other honorable member may take charge of the Bill at the stage at which it was dropped. That is a well-ascertained rule. Then, as to the application of that rule. Do I understand that the Hon. the Colonial Secretary has abandoned the Bill? Has he given any indication, directly or indirectly, which would justify any honorable member in taking up the Bill, in order that it should

*Hon. Mr. Holmes*

not be lost this session? That is the position of the question which the Council has to consider. As to any matter of ruling I have no hesitation in giving my opinion, but as to a matter of fact I think the Council ought to decide—namely, whether it is the expressed intention of the Colonial Secretary to proceed with the Bill or not. If it is not his intention, and it is so ascertained, then it is quite competent for any honorable member to take up the Bill and proceed with it. If it is his expressed intention to proceed, then no honorable member has a right to interfere with it or to take it up.

The Hon. Colonel WHITMORE.—I defer to this ruling, Sir, as I have deferred to previous rulings which have placed me at a disadvantage. If it is your desire to put the Council into the position of deciding what my intentions are, I had better retire at once. I am bound to say, Sir, that you have placed me in a position of extreme difficulty, and it is impossible for me to remain in the Council or take any further part in this discussion until the Council, in accordance with your directions, has decided what my intentions are in regard to the Bill. You, yesterday, as I distinctly understood, ruled that it was not in the power of any honorable member to take charge of another honorable member's Bill. To-day I understand you to rule that an honorable member can take charge of a Bill that has been dropped by another honorable member. But that is not all. When you asked me if I had dropped the Bill, and I told you that I had not, you directed that the Council should decide whether I have dropped it or not. That places me in a very curious position, a position in which I have not previously been placed by any of your rulings. But, Sir, I accept it. We may sometimes feel a little personal disappointment, but I recognize it as due to your position that we should show subordination to the Chair. I have never given any indication whatever of an intention to drop the Bill, my intention being, after the storm that took place, to appoint a future period for proposing to commit the Bill. The fact, now brought to my notice for the first time by the honorable gentleman, that the Bill is not on the Order Paper, is certainly surprising to me, for I was not previously aware of it. I notice that the Lyttelton Harbour Bill is the first Order of the day, and it is in that position because I was willing to give precedence to that and some other Bills which were awaiting their second reading. I may repeat, that I have not dropped the Bill, and, if it is the desire of honorable gentlemen that the session should be prolonged, I shall probably propose the introduction of a new clause, because, if I remain in office, I may require the assistance of another honorable gentleman in conducting the business of the Government in the Council, and it will be necessary to introduce a clause to give effect to that intention; but that clause is not yet prepared.<sup>a</sup> Having said what I have to say, I shall now retire.

The Hon. the SPEAKER.—I hope the honorable gentleman, out of courtesy to myself and out of courtesy to the Council, will be good enough to

remain. The honorable gentleman does me a grievous injustice when he says that I have put him in a false position.

The Hon. Colonel WHITMORE.—I did not say, Sir, that you put me in a false position; but, as you have ruled that it is the duty of the Council to decide what my intentions are with regard to the Bill, I could not remain while that point was being discussed.

The Hon. the SPEAKER.—It is but an act of simple justice to myself, and an act of simple justice to the Council, that the honorable gentleman should listen to the few additional remarks which I have to make. I ruled yesterday very strongly in favour of what I considered to be the right course, and that ruling was in the direction the honorable gentleman desired. I have since carefully considered the whole matter, and I firmly adhere to what I said yesterday. Further examination into the case has shown me this: that, if the honorable gentleman or any other honorable member abandons a Bill, it is the indisputable right of any other member to take the Bill up:—

"Proceedings thus abandoned are seldom renewed; instances, however, have occurred in which public or private Bills, which have been dropped by their original promoters in consequence of amendments being introduced by their opponents, have been taken up and carried forward by other members."—(Cushing—Chapter XX., Part VIII., p. 911, section 2349.)

That view of the matter is fully borne out by this passage from *Todd*:—

"In 1830, a Bill to consolidate and amend the laws relating to forgeries, which was introduced into the House of Commons by Mr. Peel (the Home Secretary), having been amended by the introduction of a clause abolishing the punishment of death for forgery against his consent, he renounced all further responsibility for the Bill, which was then taken up by an Opposition member (Sir James Mackintosh), who succeeded in passing it through the House. But the House of Lords amended the Bill so as to make it acceptable to the Government. Whereupon Sir Robert Peel resumed the charge of it, obtained the consent of the House of Commons to the Lords' amendments, and it became law."—(Todd's "Parliamentary Government in England," Vol. 2, p. 302.)

Now, there is a very decided analogy between that case and the case we are discussing. My honorable friend has unmistakably declared that he is prepared to go on with the Bill, and, having made that declaration with no uncertain sound, I should recommend the Hon. Mr. Mantell to withdraw his motion. I hope that suggestion and explanation will be acceptable to the honorable and gallant gentleman.

The Hon. Sir F. DILLON BELL.—Perhaps I may be allowed to say, without wishing in the least degree to dispute your ruling, which I think absolutely correct according to the practice of Parliament, that it is only proper that the honorable gentleman representing the Government should have time to consult his colleagues and see what course he intends to take in regard to the future of this Bill. I quite concur with the

honorable gentleman's right to go on with any measure he brings before the Council just as he pleases. That is according to the declared custom of Parliament, which you, Sir, have just tersely explained. The right is absolute with the member who has charge of a Bill to proceed with it as he chooses; but I would point out that the Council has a right to know what is to be done with this Bill, because its purpose is to remedy a defect which exists in the present law, owing to which members of the House of Representatives and members of the Legislative Council are treated differently. If the Government say that they are not prepared to make up their minds to go on with the measure, then, I think, my honorable friend should bring forward his motion. But it follows that, if the Government will go on with the Bill, the honorable gentleman's motion must lapse. However, I think we had better go on with the other business, because, after the statement of the Colonial Secretary, it will be necessary for him to take time to consider the matter. I hope the proposed amendment will be withdrawn, and that we shall go on with the other business.

The Hon. Mr. HALL.—I think, as we are going to make a precedent and an important precedent, that it is very desirable that every step or stage should be as clearly as possible placed upon record. The Colonial Secretary himself complains that you, Sir, devolve upon the Council the duty of deciding whether he intended to proceed with the Bill or not—in other words, that we are to decide whether his statement of intentions is to be taken by the Council or not. Now, I do not understand you to say that. I understand you to say that the Council must judge of his intentions because he did not state what those intentions were. That was my understanding of your ruling, and I trust, if I am correct, that the Colonial Secretary will see at once that the cause for offence rests entirely upon a misunderstanding.

The Hon. Mr. MANTELL.—I regret very much, Sir, that the Colonial Secretary cannot refer to any action taken by me without imputing motives of which I am entirely innocent. I can only trust that those honorable gentlemen who know me must be aware that I would not be guilty of such conduct as he attributes to me, and that those honorable gentlemen who are not in the position of knowing me so well will be of the same opinion when they come to look at the facts of the case. The honorable gentleman has given an assurance to the Council, or what I understand to be an assurance, that, when he has made up his mind as to what amendments are to be introduced into this measure, he will proceed with it. No one can be better aware of the intentions of the Government as to the prorogation of Parliament than he is. The honorable gentleman, therefore, in making that assurance, must, out of respect to the Council and in protection of his own honor, have an intention of bringing the matter before Parliament before the prorogation. If that be the case, my motion falls to the ground immediately; but, as I understand and believe that the honorable gentleman will go on



with the Bill before the prorogation of the Assembly, I shall withdraw the motion I have just made.

The Hon. Colonel WHITMORE.—I repudiate any bargain with the honorable gentleman. I cannot make any bargain.

The Hon. Mr. MANTELL.—Well, that answers the question. I will do all in my power to get the Bill proceeded with. Unfortunately, it has fallen to my lot to bring this matter forward, but I am not more interested in it than other honorable gentlemen. Indeed, I am not so much interested in it, because my interest in it begins and ceases with the desire to see an amendment in the law which will place members of both Houses on exactly the same footing. I may say that I now consider it a duty to myself and a duty to the Council to ask honorable gentlemen to express their opinions upon the subject, the honorable gentleman who represents the Government having given a sort of *quasi*-undertaking that, if the session were prolonged, he would proceed with the Bill, although he now declines to enter into any bargain—

The Hon. Colonel WHITMORE.—With you.

The Hon. Mr. MANTELL.—I do not want any bargain or any assurance from the honorable gentleman. Perhaps I would not place the same value upon any assurance from him as members of the Council generally would. I do not want an assurance from him. I want an assurance to be given to the Council: but, as he will not give that assurance, then it devolves upon me to see that all forms of the Council are used in order to get this Bill through the Council. I shall now ask you, Sir, to put the question. I refuse to withdraw my motion.

The Hon. the SPEAKER.—I think the Council will bear me out when I say that the latter part of the statement of the Hon. the Colonial Secretary should be accepted at once as a declaration that this question will be submitted to the Council.

The Hon. Mr. MANTELL.—On that interpretation, I immediately ask leave to withdraw my motion.

Amendment and motion by leave withdrawn.

The Council subsequently went into Committee on the Bill.

#### IN COMMITTEE.

##### Clause 3.—Exemptions.

The Hon. Captain FRASER moved, That the words "or Harbour Board" be inserted.

Question put, "That the clause as printed stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	5
Noes	...	...	...	...	7
					—
Majority against	...	...	...	...	2
					—

#### AYES.

Sir F. Dillon Bell,      Mr. J. Johnston,  
Mr. Hart,              Mr. Mantell.  
Mr. G. R. Johnson,

*Hon. Mr. Mantell*

#### NOES.

Dr. Grace,  
Mr. Pharazyn,  
Mr. Robinson,  
Mr. Russell,

Colonel Whitmore,  
Mr. Williamson,  
Mr. Wilson.

The words were consequently inserted, and the clause as amended was agreed to.

Bill reported to the Council.

On the motion, That the Bill be read a third time,

Mr. MANTELL said,—I hope the Hon. the Colonial Secretary is convinced by this time that the imputations he has cast upon me of desiring to hound a man down are without foundation. If he is not, I have only to tell him that the Bill which I now hold in my hand bears a similar amendment to that which was proposed in the other Bill by myself. I had no intention of hounding any man down.

The Hon. Colonel WHITMORE.—It would be unbecoming of me to refuse to accept the explanation of the honorable gentleman. I do accept it, and have much pleasure in retracting any expressions I have used which may have caused him any pain.

Bill read a third time.

#### CANTERBURY RAILWAYS BILL.

##### ADJOURNED DEBATE.

The Hon. Mr. HART said the Committee to whom this Bill, the Strath Taieri Bill, and the Hutt-Waikanae Bill were referred had come to the conclusion that it would be advisable to pass these Bills, if only with the object of preventing the land from falling into the hands of speculators. Those who had read the evidence given before the Committee would agree with the conclusion at which they had arrived. Speaking of the three Bills, he might say that they were merely of a tentative character, and their great recommendation was that they would reserve the land from sale until the railways were made, instead of allowing speculators to come in and buy it up, which they would assuredly do knowing that the railways must be made at some time or another. It would be needless to treat these Bills as individual Bills. The Committee who considered them sat day after day, and gave the matter earnest and thoughtful consideration, their conclusion being that the whole of them would be beneficial to the colony. As to the lines of railway on the West Coast, he might say that the land proposed to be reserved would not, in its present condition, sell for more than 5s. an acre, except in anticipation of the railway being made. But if the railway were made before the land was sold it would, he felt convinced, bring as much as £2 an acre. He knew of one instance in which a recommendation was made to the Wellington Crown Lands Office to reserve certain land for a township, but the recommendation received no attention; and the consequence was that the land fell into private hands, was laid off as a township, and was now selling at prices ranging from £5 to £10 a quarter-acre. That was the case of the Kiwitea Township, in the Province of Wellington, which was recently laid off. In

such cases it would be well for the State first of all to reserve the land until the railway was made, because then enough would be got out of the sale of the land to pay for the railways, instead of allowing speculators to step in and charge any price they liked for the land, as they would do when the Government came to require it for railway purposes. To pass these Bills as they stood was the most prudent course the Government could adopt. They would have the effect of stopping sales, the State would get the benefit of the rise in the value of its property, and a large area of land would be opened up. What the country seemed to have done in the past was to throw away its land before population came to occupy it, instead of holding land until population came, as they had done in Canterbury. Large quantities of land had been sold in the Province of Wellington at 5s. and 10s. an acre which it would be difficult to rent now at £1 per acre per annum. Looking at the fact that these Bills merely had the effect of locking up the land until next session, it was desirable that they should pass. If not, speculators, knowing that the formation of the lines was contemplated, would step in and take the land, and when the Government wished to make a railway it would have to pay three or four times the price given by those speculators. It would be giving to private individuals that which the State would otherwise get, and would be robbing the State of the increased value which the railways would give to the land.

The Hon. Mr. WILLIAMSON thought the honorable gentleman had proved what had been sufficiently proved already—that railways enhanced the value of land. If it was the opinion of the Council that railways should be made out of the land, it would be a more judicious thing to reserve all unsold land in the colony. Honorable gentlemen seemed to be very much afraid of enriching the people. He wished to know what the duty of the Government was, if it were not to enrich the population. He did not say that this was a means that ought to be adopted for enriching them; but there was no harm done to the country through the people becoming wealthy. If the people were wealthy they could afford to pay taxation, and if they were poor they could not. Why he objected to these particular railways was, because the colony had incurred a debt for the construction of a trunk line, and it was now proposed that certain districts should have railways without any cost to themselves. Not much harm could come to the colony through the people getting the land; and then let the people themselves make the railways when they found that they were wanted. If the scheme of constructing a main trunk railway were carried out, the colony would have done as much as it ought to do in this direction. It would be found that the people would be ready enough to engage in enterprises for the purpose of enhancing the value of the lands when they came to be owners of those lands and found that there was sufficient traffic for railways. He would be quite willing to reserve all the unsold lands until it was seen where railways could be made, and had no objec-

tion that they should be made out of the lands; but the principle should not be applied only to particular districts.

The Hon. Colonel WHITMORE said that, in the year 1867, before they had any railway mania and before they had any Public Works policy, as it had been called, he moved in the Council the following resolution:—

“That the Council is of opinion that, for the better protection of the interests and safety of the public, it is desirable that all proposals for the construction of public railways should be submitted, in the first instance, for the consideration and sanction of the Legislature of the colony, and that the Government be requested to bring in a Bill, as soon as practicable, to give effect to this resolution.”

He subsequently moved that there should be a Royal Commission to decide what ought to be the uniform railway gauge for the country, to have the lines laid off, and the lands reserved—lines that were thought to be most suitable for main railways; and the Council adopted the following address to the Governor on the subject:—

“We, the Legislative Council, in Parliament assembled, humbly pray that your Excellency may be pleased to issue a Commission to competent persons to inquire into the subject of railway communication throughout the colony, and more especially to determine which are the most advantageous lines for trunk railways, with a view to the reservation from sale of a portion of the unsold Crown lands adjacent to such lines; and also to inquire whether, in all Acts hereafter to be passed by the Legislature for the construction of railways, provision ought not to be made for securing one uniform gauge throughout the colony, and what that gauge should be.”

Before they got so learned in railways and in reservations as they were now, he took that course; and he would have no hesitation whatever in supporting that proposal now, if he were a private member of the Council and if it were brought down by the Government. It was the duty of the Government to propose to the Council the railways which it considered desirable the colony should make, and it was judicious, from a business point of view, to reserve the lands adjacent to those lines to secure to the Government the increment of value which the railways would occasion. It was very much to be regretted, for reasons which were not all of a character that they could look back upon with any satisfaction, that that course had been invariably neglected by the Government since 1870. There had been no effort made to take power to reserve land from sale; there had been no desire, apparently, to interfere with the speculators who had speculated so largely upon the results that those railways would produce. In itself, he would have no objection to the proposal for the Canterbury railways if it were made clear to him that the lines were to be taken through Crown lands, to give access to new districts, and, in fact, to render saleable land which it would otherwise be impossible to sell. He was bound to say, with reference to the Province of Canterbury, that he

had heard the statement made that the land was nearly all sold for the last ten years; yet much had been disposed of since then, and he hesitated now to believe that any portion, except, perhaps, the extremely high mountain-land, would not, within a reasonable time, find a market at the fixed price. He did not believe that in all cases it was a good thing to the buyer to purchase land of that character for such a price, but it was an acknowledged fact that in all countries the purchase of land, where it had acquired a settled value, was the worst investment that could be made, and paid the smallest interest. He was told that even now in the Colony of Victoria money was lent upon land at prices not much higher than mortgage rates in England. That showed at once how favourite and secure an investment land was. The result of the facility of getting money lent on land was, that people paid extravagant prices for it; so much so that, as a rule, the return from land was less than from any other investment in the country. He believed, therefore, that, when they were told that any land in the Province of Canterbury, in districts where it was considered reasonable to ask for a railway, would not sell for 5s. an acre, they were asked to extend their credulity a great deal too far. Personally, if he were a private member of the Council, he would oppose this proposal, and nothing would induce him to be a party to a system of securing all the most readily saleable land in Canterbury, to compel the Government to construct railways which might not be the right railways to undertake. It was quite possible that all they heard about these railways might be perfectly true: it might be true, also, that it was a good thing to have railways in a hundred other places he could name; but it was the peculiar function of the Government to say whether, bearing in mind the probability or otherwise of the railways paying, the fairness of the proposal to other portions of the country, and its relation to the main scheme upon which the colony had spent so much money, these were the very railways which ought to be constructed first and immediately proceeded with. They had made the Land Fund colonial revenue, and the setting aside of the land as now proposed had no other meaning than pledging the country to spend £750,000 more in railways in certain localities in the Province of Canterbury. The effect of passing this Bill would be to give these particular lines preference over any other lines which the Government might be disposed to construct; and, more than that, it might be used as an argument to press the Government to make railways when the finances of the country might not justify any further extension of railways for the moment. It would be conceded that it was not reasonable to push railway construction to any very great extent further at present. They had overdrawn their railway account, and, having spent a little too much, must pull in their horns for a time. However, with regard to these particular lines, he was in this position, and he wished to deal frankly with the Council, for his difficulty was one which was inseparable from party government: The Government to which he belonged

*Hon Colonel Whitmore*

had voted for the proposal. He was one member of the Government which he, in many respects and in most respects, believed to be the most desirable one for the country, and the only one which had the courage to propose what he had so long advocated in the Council—the taking of the Land Fund. Finding himself in that position, he thought it right to sacrifice a little on the one hand to gain so very much more on the other. The late Government had proceeded on a course of policy which ought to have had no logical conclusion except to declare the Land Fund to be colonial revenue; but they stopped short—they stopped short just where they ought to have gone on, and held their hand. For that reason, he had thrown in his lot with their opponents, and he should never look back except with pleasure to that which he conceived to be the greatest achievement that he had ever seen in political life since he had been connected with it—he meant the taking of the Land Fund and making it colonial revenue, which it ought to have been since the outset of the colony. As the Government had supported this scheme in another place, he was bound to support it with his vote in the Council. The Government had not identified themselves with it, nor pressed it forward, but they had looked with individual favour upon it. Members of the Cabinet had given their votes, and the Government as a whole had left Parliament to decide upon it. They knew, therefore, that to press other railways in the same district, even if they were more desirable, would be attended with certain difficulties: still, they should not be behind in their duty if they found that there were other railways that ought to be made before these; and, in spite of these Bills, if they passed the Assembly, the Government would consider that it was their duty in such a case first to construct the others. It was not a pledge on their part that the first railways to be made in Canterbury would be these lines, nor was it a pledge that, if the Government found that the colonial finances would not bear further railway construction for a while, they would instantly make them; but they would, all things being equal, make these lines in preference to any others in that direction, and, if the colony could afford it, they would proceed with their construction as soon as it could reasonably be done. That was all the Government, by voting as they had done for these Bills, undertook to pledge itself to do if they became law. But this was part of a proposal which was half affirmed before the present Government took office. They came in *in medias res*; but for the future the stand they would take in Parliament with regard to such proposals would be, that when they were laid on the table of the House the Government would set their faces strenuously against them unless they were brought in by Ministers, by their authority, on their own responsibility, and at their recommendation. It would be quite impossible to conduct the government of this country upon any other basis. If every member of Parliament was entitled to have a hobby, and to bring it forward, in con-

junction with other schemes of the same kind from all sides of the House, it would be absolutely impossible, with the smallest regard to economy in our finances, in justice to the country or to the foreign creditor—whom, for that matter, he did not look upon as having quite as much right to interfere as some honorable gentlemen supposed—it would not be compatible with justice to our own people, to our own country, and to our own credit to allow a system to become a normal one in this country of having these great schemes brought down by private individuals. In this matter, therefore, his action was fettered. For the reasons he had given, he must vote for the Bill, but, to speak frankly, he must admit he did not like it. He had had a certain amount of hesitation in joining the Government, because there were one or two points of this description upon which he did not feel that he could go quite so far as his colleagues. Honorable members, no doubt, would be aware of the delicacy of his position in this matter, but there was one ground which justified and induced him to join the Government in spite of these Railway Bills, and that was that they took the Land Fund and made it colonial revenue. Although these Bills passed he would not agree to any of these railways being pressed forward if there were other railways which it was more important to make. He had no local knowledge of these lines, but would pay great attention and attach great weight to the report of the Committee, and he would hope that these lines would turn out to be so promising as to justify the Government in proceeding with them at once. With that explanation, he would support the Bill.

The Hon. Mr. LAHMANN said that when he gave his vote in favour of the Strath Taieri line he did so because it was proved to his satisfaction that the lands through which the line would run were Crown lands, and the increased price given to the lands by the construction of the railway would be for the benefit of the colony at large. However, in respect to this Bill he had no information as to the nature of the country through which these Canterbury lines would pass, and, until he was convinced that as much good would be done by these lines as he believed would be done by the Strath Taieri line, he could not vote for the proposal.

The Hon. Captain FRASER said that when he gave his vote on the Strath Taieri line he did so conscientiously, because he believed it would develop the resources of an unknown country and open up an almost new colony, the whole of the land through which it passed, at the same time, being Crown land. In this case, he had no knowledge whatever of the lines to be made, except that they were to run from certain points to other certain points in different directions. He would willingly vote for the Bill being passed if he could do so conscientiously, but he could not do so. Since he had been in that Chamber he had always given his votes conscientiously, but he had not sufficient knowledge whether these lines were required or not required. He did not know whether they were public lands or private lands that were to be benefited. There were no

plans brought before them as in the case of the Strath Taieri proposal. In fact, honorable gentlemen were left to their imagination to discover where the lines should be made. He could not support the Bill, nor could he support the Hutt-Waikanae line. Both proposals seemed to have been rushed in because certain land had been set apart for the Strath Taieri line.

The Hon. Mr. G. R. JOHNSON had voted for the Strath Taieri line because a considerable extent of country would be opened up by it and great good would be done. He quite agreed with the Hon. Mr. Hart that, whether the proposal was carried out at once or not, it would be a good thing to do to reserve the land and insure that it should not pass into the hands of private speculators, from whom, when the railway came to be made—and it must be made—the colony would have to purchase the land at a higher price. With regard to the present Bill he was not so well informed; but, from the statement he had heard from the Hon. Mr. Hall, he believed the railways themselves were desirable in the same way as the Strath Taieri Railway, if not to the same extent, at least to a considerable extent, and therefore he thought the Bill should be passed; at any rate, that the land should be reserved. With regard to the Hutt-Waikanae line, he thought it was a very desirable line: in fact, he thought it would have been much better if the main trunk line had originally taken the Hutt-Waikanae course, instead of going through the Wairarapa, and the Hawke's Bay line should have come into the Wairarapa, not through Woodville, but from a more easterly direction. For the reasons he had given he should vote for the Bill.

The Hon. Mr. BUCKLEY said some members of the Council seemed to look upon this question too much as to how it affected localities, but these lines were, in reality, a part of the Public Works policy of 1870, and the Council should have looked at the matter in that light. It had been said by some gentlemen that no land would be opened up by these lines, but if the honorable gentlemen who said it had looked at the evidence they would have seen that certain lands would, if these lines were built, be made available, and would sell at once. The evidence showed that in one district blocks of land had been applied for but the applications allowed to lapse, because there were no means of access to the land. Nor should it be forgotten that these were actually extensions of lines already made, which would have been carried out by the Provincial Government had it continued to exist. He might mention that on the Oxford and Malvern line a large bridge had been built over one of the rivers, costing £3,000 or £4,000, specially adapted for carrying a line of railway. If these branches were made they would lead to an increase in the traffic on the main lines, and would develop not only a timber trade but the coal deposits. As was well known, considerable quantities of timber and coal would have to be carried for the supply of the settlers at these places. If the Council proposed to adopt the principle that reserves of land should be made for the purpose of

constructing railways they should take these Bills as a whole. When the surveys were made the Council would have before it information which would prove whether these railways should be gone on with. He knew something of the country through which the Canterbury and Otago lines would pass, and was in a position to say that the Strath Taieri line would create a considerable amount of traffic. With respect to the Canterbury lines, he had not the least hesitation in saying that in two or three years they would pay handsomely. He knew nothing of the country through which the Hutt-Waikanae line would pass, but according to the evidence it would tap a large tract of country which would never be made accessible to the port except by means of this railway.

The Hon. Captain FRASER asked whether the Hon. Mr. Hall would be content to take the lines one by one when the Bill was in Committee, because, from what had fallen from the Hon. Mr. Buckley, he believed that it was intended by the Provincial Government of Canterbury to carry out some of these railways. If the honorable gentleman would do that, he (Captain Fraser) would give him his vote.

The Hon. Mr. HALL said that the various lines were mentioned in the schedule, and when the schedule came up for discussion it would be quite competent for the honorable gentleman to move that each be considered separately.

The Hon. Mr. WIGLEY said that the proposals in regard to these railways had been carefully considered by the Committee, and had been the subject of much attention in the districts to which they related. He did not see what harm could result from the passage of these Bills. They simply asked that a certain amount of land should be reserved to protect the public interest, and if the lands were surveyed the necessary steps would be taken by the Government to give definite answers upon the question next session. One great object in passing the Bills was to get the surveys made, and the information thus obtained would form a reliable guide. All the branch railways in Canterbury had paid remarkably well. Only the year before last a line twelve miles long was constructed, and everybody said that it would not pay; but experience proved it to be a great success. He had seen eighteen or twenty drays waiting their turn to get near the railway to discharge their loads of grain, and that line had opened up thirty or forty thousand acres of country. If the surveys were made the Government would be in a position to say next year, "This is a desirable line; we will go on with it;" and in the case of others they might say, "The prospects of this line are not sufficiently good; therefore we will not construct it." He hoped the Council would consent to pass the Bill, because one main object was to get reliable information.

The Hon. Mr. HALL suggested that those honorable gentlemen who complained of want of information upon the subject should read the report of the Committee, who, as the Hon. Mr. Hart pointed out, spent a great deal of time in considering the subject. They had collected a

*Hon. Mr. Buckley*

considerable amount of information, which was appended to the report that was now on the table. He hoped the proposals would not suffer because the Hon. Captain Fraser and other honorable gentlemen had not read the report. If the Council were asked to authorize the construction of the lines, then he should say, undoubtedly, that plans ought to be submitted; but all that was asked now was, to allow the lands to be set apart and to have the surveys made. The Council was not committing itself to any large expenditure. One honorable member asked whether these lines ran through any extent of Crown lands. If the honorable gentleman read the report he would see that they did so partially; but there was this difference between the Canterbury lines and the Strath Taieri line: that only a portion of the land alongside the Canterbury lines was Crown land, while in the case of the Strath Taieri line nearly the whole of the land through which it passed belonged to the Crown. Beyond the termination of the Canterbury lines there was, however, a very large amount of land which had not yet passed out of the hands of the Crown—more than would be found beyond the terminus of the Strath Taieri line. The Canterbury lines would open up a very large quantity of land. There was this additional reason why the land should be reserved in the case of these lines: that it was at present open for sale, and, if they did not make a reservation, that which the Hon. Mr. Hart pointed out would happen—the land would be sold, and the speculator would get the benefit of its increased value. In fact, sales had taken place, since this inquiry was begun, in a direction which he never contemplated would occur for a long time, merely from the fact that these railways were contemplated.

Question put, "That the word 'now,' proposed to be omitted, stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	7
Majority for	...	...	...	...	4

#### Ayes.

Mr. Acland,	Mr. Hart,
Sir F. Dillon Bell,	Mr. G. R. Johnson,
Colonel Brett,	Mr. Peacock,
Mr. Buckley,	Colonel Whitmore,
Captain Fraser,	Mr. Wigley.
Mr. Hall,	

#### Noes.

Mr. Chamberlin,	Mr. Robinson,
Mr. J. Johnston,	Mr. Russell,
Mr. Lahmann,	Mr. Williamson.
Mr. Pharazyn,	

The amendment was consequently negatived, and the Bill was read a second time.

#### HUTT AND WAIKANA E RAILWAY BILL.

The Hon. Sir F. DILLON BELL, in moving the second reading of this Bill, said that the report of the Committee and the evidence showed the grounds which induced the Committee to

believe that this was a line the construction of which would be desirable in the interests of the colony. A question was asked, in the course of the debate on the Canterbury lines, as to the reasons which existed justifying the proposal for the construction of the Hutt-Waikanae Railway. But it would be remembered that the original proposal that was submitted to the other House of Parliament, and which was examined by the Committee of the Council, was only to the effect that a reservation of the land should be made, and proper plans and surveys taken during the recess, so that Parliament might have the means of judging next session whether it was wise or proper to construct the line. That proposal, in fact, formed the model upon which the Committee acted in their recommendation with respect to the other lines, and, though there might be particular objections on the part of some honorable members to the proposal in the case either of the Strath Taieri or the Canterbury lines, the measure before them could hardly receive anything but the consent of Parliament, because the modesty of the proposal itself recommended it. It had been shown beyond any doubt that, if they wished to utilize the country on the West Coast between Otaki and Manawatu, which contained a very large area of fertile and valuable land, they must make a railway to it. He had already expressed the opinion that no proposals of this sort should be made except by the Government, whose proper executive duty it was to make such proposals. He was glad, therefore, that the Committee had recommended that no contract should be entered into nor any work done until the full assent of Parliament had been obtained. But it would be a wise proceeding if, in all these cases, they allowed the necessary surveys to be carried out, and inquiries as to the traffic, the character of the land, &c., to be made, during the recess, so that next session, instead of having merely political proposals brought before them, they would have materials upon which to form a fair and sound judgment. Nothing that they were now doing pledged them to construct a single line of railway or to expend one penny upon the lines. When the information came before them next year, if it proved to be of a satisfactory nature they could give it favourable consideration. If, as he feared, the state of the finances next year showed them that no further expenditure could be safely entered into, the process they were now taking would not put them one whit backwards, nor prejudice in any way the freedom with which Parliament could come to a decision next year.

The Hon. Mr. ROBINSON supposed it was no use saying anything, as the Council seemed to have taken a fit of passing everything that came before it. Enough had been said to convince honorable members that this was not the proper way to deal with the waste lands. The colony had already incurred very heavy liabilities. They were told that their debts were greater than they could bear, and they had only the other day passed a Bill to borrow another large loan. How was the interest to be paid? They had also

passed the Financial Arrangements Bill, by which it was clearly shown that it was necessary to take the Land Fund and put it into the Consolidated Fund to make the revenue appear anything like equal to the expenditure. There had been great fault found about taking the Land Fund, and a great deal of talk about injustice, and so on. In talking about their debt they were continually told that it was a great deal more in comparison with the revenue than the debts of other colonies. Now, in all other colonies the Land Fund was consolidated revenue. It was expected that when the Land Fund of New Zealand was brought into the consolidated revenue they would be able to show a fair and decent balance to their credit. But they had no sooner passed a measure colonializing the Land Fund than they began to reserve their lands in all directions. They were told that they were not passing any measures that would come into immediate operation, that there would be plenty of time to consider those proposals during the recess, and that a Bill would have to be brought down next session giving power to put those lines into operation. That was all very well, but, as far as his recollection went, this mode of procedure had in similar cases been but the thin end of the wedge, and in future sessions it would be argued over and over again that this land had been set aside; and it would be very difficult to reverse the decision which they might come to on the present occasion. The Hon. Mr. Hart told them that the construction of these railways would be a very great boon to the country, and that the increase in the value of the land which would take place would be sufficient to cover the cost of the lines. If the honorable gentleman had applied that remark to the particular case under discussion he (Mr. Robinson) should not have called it in question, for no doubt the honorable gentleman knew more about the Hutt-Waikanae line than he did; but, when the honorable member began to talk about the increased value these railways were to give to the land in the Middle Island, he hoped the honorable gentleman would excuse him for saying that he was then speaking about a subject of which he had very little knowledge indeed. If the honorable member would look at the schedule of the Bill which had just been passed, and upon the merits of which he had dilated so strongly, he would see that these railways were proposed to be made through land that was already private property. That land would be increased in value, no doubt, but the revenue of the country would not derive any benefit from such increase. The only argument that the honorable gentleman who brought forward the Canterbury Railways Bill could adduce in favour of it was that, if there was only a limited amount of unsold land alongside the line, there was a great deal of fine agricultural land at the termini. That might or might not be the case, but, at any rate, the railway would not give increased value to that land. If the colony were to derive all the benefit from the increased value of the land, reserves ought to be made contiguous to the line of railway on each

side. It was proposed by the previous Bill to take the land here, there, and everywhere, and to make the railways increase the value of other people's property, leaving the property of the Crown just in the same state in which it was before. That would be spending money which ought to go into the general Exchequer in making railways through a country that had no more right to expect railways to be made out of the public funds than any other part of the country—Auckland, Southland, or anywhere else. Why should they lock up this land for the purpose of making railways in these localities specially? They had done away with the provinces, and he maintained that it would be quite as just to reserve a large block of land in the Canterbury Province to make a railway in Auckland as it was to construct one where it was now proposed. He defied any honorable gentleman to get up and say that Canterbury had any more right to have a railway made out of the proceeds of the lands that were now proposed to be reserved than any other part of the colony had. A good many years ago, when the Public Works policy first came down, he said that they would not be able to carry out the policy unless the abolition of the provinces took place; and yet members in the Council still talked about provinces, and, when they discussed the question of a reserve being made here and there, the word "province" came in, and it was contended that railways should only be made in the province in which certain reserves were set aside. There was a probability of a great deficiency occurring in the revenue. It had already been proved that unless they got the Land Fund there would be a very large deficit indeed, and, now that they were about to reserve the land for this, that, and the other purpose, and to endow this, that, and the other institution, how would it be possible to meet the deficiency which would undoubtedly be found to exist on the 30th June, 1878? The money that had been received from the sale of the waste lands would have been squandered in the Middle Island in making railways, and would not be available to meet deficiencies in the revenue, which deficiencies the people of the North Island had to contribute their share towards making good. He came from the Middle Island, and would be personally benefited by the proposed reservation of these lands; but he had never been a Provincialist. When he first set his foot in New Zealand he felt that he belonged to the colony, and he felt now that equal justice ought to be done from one end to the other. They were not doing equal justice by the proposal to pass these Bills, and that was why he troubled the Council with these remarks.

The Hon. Mr. HART would answer one or two points in the honorable gentleman's address. He asked, Where would the colony be on the 30th June next year if there was a deficiency? It would not have had one acre of these lands sold. The lands would be there for all purposes.

The Hon. Mr. ROBINSON might be allowed to explain. He did not say the lands would have been sold—they might not be sold by the 30th June next, or by the 30th June, 1890; but they were part and parcel of a fund they had a

*Hon. Mr. Robinson*

right to look forward to as a source of colonial revenue.

The Hon. Mr. HART said there would not be one acre of those lands sold at the end of the time mentioned, and they would be as available for any deficiency which then existed as they were now. The only effect would be that they would be reserved from sale until Parliament determined whether or not it would apply them to this purpose. Parliament would have just as much control over those lands at that time as it had now. He was not one of those who advocated the sale of land because there was a prospect of an immediate profit. He was quite sure that lands in the Province of Wellington had been literally thrown away because they had not been reserved from sale until a population had come to bid a proper price for them. The whole of the arguments that had been used would have weight if it were proposed to make the railways or to authorize the Government to make them; but these Bills, as they had been altered in Committee, expressly prohibited the Government from entering into any contract for the formation of these railways until the necessary information was before Parliament. They expressly prohibited any commencement of work on these railways until the whole matter was before Parliament for adjudication. With regard to this particular line, the evidence was that it would go through land absolutely the property of the Government, through a very small proportion of private land, and through some portion of Native land. The greater portion of the land proposed to be reserved would be land actually made saleable by the railway itself. If the Bill were passed it would cause those lands to be reserved from sale for seven or eight months, and would cause those railway lines to be reviewed by Parliament when they had some approximate estimate of the cost before them.

The Hon. Mr. J. JOHNSTON said the Hon. Mr. Hart totally forgot that this was the initiation of a new policy. If that policy were a good one, why put it off until 1878? They were about to borrow a million and a half to carry out the public works of the colony, and why was not a portion of that money set apart for this purpose? It appeared to him that, while honorable gentlemen were seeking to benefit the colony within the colony, they were quite forgetful that they were injuring the colony outside by the initiation of a new policy totally at variance with the policy carried out in the past with regard to public works. Such a policy should meet with the entire sanction of the Government, or, on the contrary, it should meet with the opposition of the Government. It seemed astonishing that Bills of this kind should be allowed to be brought in by private members. It was a total delegation of the duties of the Government. He was at a loss to reconcile it with ordinary prudence or ordinary good government.

The Hon. Colonel WHITMORE said that in the year 1870, when the Public Works policy was introduced, it was considered by certain honorable gentlemen in the Council, who had not the glamour before their eyes that blinded Sir Julius

Vogel's immediate followers, that it was rushed on the floor of the Council without the most ordinary business care. Those gentlemen tried all they could to delay the action of the Government for one year. That was a moderate and reasonable request. They stood out as long as they possibly could to prevent the means of the country from being wasted on ill-considered and ill-digested plans; and, when it was impossible to get a minority of two figures in another place, they contested the proposal in the Council for two or three days, and at last when they went to a division they only lost it by the casting vote of the Chairman of Committees. The whole public were looking on, and the other branch of the Legislature were at their bar; the utmost excitement prevailed: still the Council, by almost a majority, asserted the principle that they should not go into that scheme without proper inquiry, and without having plans and surveys before them. What happened in the district in which this railway was proposed to be made was this: The provincial map—the land sales advertisement of the province—was placed on the table, with a red mark an inch wide down the middle; and somebody was able to say—with what mental reservation he could not conceive—that that was a surveyed line of railway. What had been the consequence? On the other side of the Rimutaka there was a difficulty, which had to be referred to competent authorities, and it was found that the line proposed was ridiculous, and that it would cost three times what it ought to cost, merely for maintenance. They found that from the top of the Hutt over to the Wairarapa the railway went on an unnecessarily steep slope, and passed through a tunnel of most expensive character, and the trains would have to be pushed up by peculiarly large engines, which would be an expense for all time. And now they had a proposal before them which was practically an admission that the whole line was a mistake. Looking back at those times, those whose prophecies had come true had a right to speak—to say, "In the past we have shown a certain amount of foresight—do not neglect what we say now." He would say that to construct this line to drain away the traffic from the present line, which would not for years pay interest on the cost of its construction, would be a suicidal and short-sighted policy. What was the traffic expected on this line, and what were the lands? Honorable gentlemen were quite right in saying that these lands would not sell at a high price at present, and it was only by looking at those things from a sanguine point of view that they could assume that those lands would bring a high price if the railway were made. How was the railway to be dealt with if it did not pay? That was a question which must force itself upon the people of the colony before long. According to the Act of 1871, any deficiency that existed between receipts and expenditure was to be raised by direct taxation upon the district. That was the law of the land now; and, although the rest of the legislation had not been brought into force declaring how that taxation was to be levied, still that was the law of the land, and one day or another it

would no doubt be put into force. Then what would happen in a district like this, with two railways to carry a rather moderate traffic? The district would be completely ruined, as Tasmania was some time ago, in trying to maintain the railways. It would be intolerable to other districts, particularly to those producing a large Land Fund, to have to continue paying for the loss on the working of railways in other districts; and the end would be, as in the case of the Land Fund, that the larger number would refuse to be sacrificed by the lesser, and would insist on steps being taken which would be for their own protection. What they would do would be to shut up the railway, sell the railway, or, if any lunatic could be found for the purpose, lease the railway. He would not be a party to this proceeding at all. The district from Foxton to Wanganui had a railway; they had given Wanganui a liberal endowment for a harbour. The district from Wellington to Foxton was not of a character which would carry a dense population at any time. He spoke, of course, of lands belonging to the Crown. If it did carry a tolerably large population, and if the railway ever did come to be largely used, it would turn out that the entire traffic in that direction would leave Masterton.

The Hon. Sir F. DILLON BELL.—Then do not make the line to Masterton.

The Hon. Colonel WHITMORE would have been prepared to do that; but at this moment there was a large fertile district at Masterton, and there was the traffic to hand, and for many years it would be greatly in advance of any line in an easterly direction. And the trunk line from Napier, if it ever came down to Wellington—and he did not think it would do so in his lifetime—would not bring goods, because it would never pay to send goods from the Ruataniwha Plain down by Masterton. All that would be carried by that line would be passengers, and the passenger traffic alone likely to come would not pay. That would also be the case with respect to the West Coast lines. Besides, the Legislature had already done enough for the West Coast by giving them a harbour at Wanganui, another at Foxton, and a road through the Gorge into Masterton. There was no line of railway paying in the North Island—that was, paying 5 per cent. over and above working expenses. The Napier line, which was about the best in the North Island, did not pay that. The New Plymouth line was ridiculous as a financial speculation, and was being carried on now at the expense of the rest of the colony. The Foxton-Manawatu line might be doing pretty well, but it never could pay any large amount, because the district was too small. He was informed that the Masterton line promised to pay; but it must be remembered that it would always have a heavy drag upon it in the shape of the Rimutaka Hill. He set his face absolutely against any more speculations in railways in the North Island until the main lines were completed and showed a prospect of paying. So long as the main scheme was incomplete, the North Island should not burden itself with these branches. They could not afford to take Canterbury as an example. That



was a highly-favoured place. It always got the best of any bargain it entered into. It was one of the privileges of Canterbury to do that. He did not put that down altogether to the eloquence or adroitness of the members for Canterbury: a great deal was due to the prestige of being so wealthy and magnificent. It was an old saying, "To those who have much shall be given." But the people of the North Island, who trembled when they asked for anything, and were frequently snubbed, and sometimes insulted, should not go into these wild railway speculations. They should stick to the main trunk system until it was completed. That was the reason why he should vote against the Hutt-Waikanae line. No doubt the Hon. Mr. Hart was very sincere, but he was a little too sanguine.

The Hon. Mr. J. JOHNSTON said that the honorable gentleman seemed to be under a misconception as to the character of the land between Paikakariki and Foxton: it was some of the best land in the colony, and was entirely in the hands of the colony or in the hands of the Natives.

The Hon. Mr. BUCKLEY said that, although it was the Hutt-Waikanae Railway that was under consideration, he could not help noticing how frequently the Hon. the Colonial Secretary kept referring to Canterbury. He had referred to the very handsome manner in which the colony had treated Canterbury, and said that Canterbury should get no more. He held in his hand a return of the value of the Crown lands of the colony, made out on the authority of the Surveyor-General. From that he noticed that the whole land of the colony was valued at £16,000,079, of which value one-third was represented by Canterbury lands. The Canterbury lands were estimated to be worth £5,788,000. Of the land in the Canterbury Provincial District it was proposed to set aside 350,000 acres, valued at £2 per acre, so that, irrespective of that reserve, there was still £5,000,000 worth of land in Canterbury to be absorbed by the colony. It was nearly double the value of the whole of the land in the North Island, and yet the Hon. the Colonial Secretary said there was no Land Fund in Canterbury.

The Hon. Colonel WHITMORE did not say there was no Land Fund, but he might mention that the Hon. Mr. Wigley, in the presence of two or three gentlemen, had told him that, in consequence of the Land Fund being made colonial revenue, there would be no more Land Fund in Canterbury.

The Hon. Mr. CHAMBERLIN thought the Hon. the Colonial Secretary had shown clearly that there was no necessity for this railway. He moved, That the Bill be read a second time that day three months.

Question put, "That the words proposed to be omitted stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	9
Noes	...	...	...	...	6
Majority against...	...	...	...	...	3

Hon. Colonel Whitmore

#### AYES.

Mr. Acland,  
Sir F. Dillon Bell,  
Colonel Brett,  
Mr. Buckley,  
Mr. Hall,

Mr. Hart,  
Mr. G. R. Johnson,  
Mr. J. Johnston,  
Mr. Wigley.

#### NOES.

Mr. Chamberlin,  
Mr. Pharazyn,  
Mr. Robinson,

Mr. Russell,  
Colonel Whitmore,  
Mr. Wilson.

The Bill was consequently read a second time.

#### TE ARO RECLAMATION BILL.

The Hon. Mr. HART, in moving the second reading of this Bill, said its object was to enable the Corporation of the City of Wellington to reclaim a portion of seventy acres, for which they held a Crown grant, in the foreshore of Te Aro. It would be to the interest of the public to improve the sanitary condition of the city by covering up the offensive beach at the head of the bay, a beach which exhaled effluvia which accounted more than the want of drainage for the fever which existed during a portion of the year in that part of the city. It was proposed to enable the Corporation to borrow £100,000 for the purpose, and, with the amendments which he proposed to introduce in Committee, to secure the payment of that money by the land proposed to be reclaimed, and in the meantime to provide for payment of the interest of the money by the power which it gave to the Corporation to levy an additional special rate of 1s. in the pound on the rateable property of the city. The amendments would also provide for the settlement of the claims of those persons who were entitled to water frontages at the head of the bay, which frontages were reserved to them by the terms of the agreement under which the Corporation was entitled to this property, which agreement was issued pursuant to "The Public Reserves Act, 1854." The amendments would also provide for the creation of a sinking fund, by which the whole proceeds of the land would be applied to the extinguishment of the debt, and they also provided that the water-frontage rights should be settled before any money was raised. These were the general objects of the Bill. It had been carefully framed, and would contain the same provisions for enabling the securities to be dealt with which were contained in the Dunedin Loans Consolidation Bill, a Bill which, he was told by financiers, should be the type of all their borrowing Bills, as it enabled the creditors to deal with the securities which were issued for the loan. He begged to move the second reading of the Bill.

The Hon. Captain FRASER moved, That the Bill be read a second time that day six months. It seemed to him to be a private Bill, as it dealt with private rights, and three months' notice should therefore have been given to the persons whose rights were interfered with. Under any circumstances, it was a Bill which should not be introduced in the last hour of the session.

The Hon. Mr. ROBINSON thought this was a very desirable work. They had been asked that evening to give away 300,000 acres of land for

what he might call a private speculation, and, now that a Bill was submitted to them the object of which was to reclaim a large quantity of land which would more than pay for the expense of reclamation, an honorable member proposed to reject it. It was true that it was introduced late in the session, but that, he presumed, was not the fault of the honorable gentleman who introduced it. They were all more or less interested in the work, as they would now have to live in Wellington for six months in the year, and he hoped the Bill would not be shelved.

The Hon. Sir F. DILLON BELL said he seconded the amendment of the Hon. Captain Fraser, not because he disapproved of the proposal, but because, as in the case of the Rating Bill and other proposals, there was not time to properly consider them. It was ridiculous to ask the Council to sanction the borrowing of £100,000 to reclaim a part of the harbour without the slightest information as to the cost of the work or any other necessary information being placed before them. It was unfair to ask them, within a few hours of the prorogation, to assent to such a scheme. The necessary information should have been placed before the Council four months ago, and he hoped the proposal would be allowed to stand over for a year, in order that they might have time to fairly consider it.

The Hon. Mr. CHAMBERLIN could not support the Bill. He had no objection to reclamation generally, but he thought the Wellington Corporation had sufficient work of the kind on its hands at present. The people of Wellington were reclamation-mad. They were now reclaiming a piece of land large enough to build a town upon, and this scheme should be allowed to stand over. There was more than that: The people interested in the reclamation going on at present would, to a certain extent, receive injustice if an opposing scheme were sanctioned, and the Council should defer any further action until the result of that scheme was known. The first piece of ground reclaimed extended from the wharf to the Lion Foundry, and even that ground was not covered with buildings. He believed it was paying very well now, but when he first came to Wellington, in 1869, there were about three buildings upon it, or, at all events, not more than half a dozen, and it was thought at the time to be a bad speculation. But, owing to the Public Works scheme, and to the consequent prosperity of Wellington, owing to its being the seat of Government, the value of property of all kinds had so increased and trade had so extended that the land was now very valuable. The reclamation at present in progress was four or five times greater in extent than that, and, with the exception of the General Government Buildings, a few railway buildings, and some sheds, there was nothing on the ground at all. Yet, in the face of that, it was now proposed to reclaim a piece of ground at the other end of the town, but not very far off, to the extent of some sixty or seventy acres. He would be very glad to see that done some day, although he had not the slightest interest in Wellington. He liked to see every town in New Zealand go ahead, and the whole country prosperous, because what was

beneficial to one part of the country must be beneficial to the rest. Although he came from Auckland, he was not one of those who thought Wellington was everything that was bad. On the contrary, he considered Wellington one of the prettiest places he had ever seen; but he agreed with the Hon. Colonel Brett that it would be a little sweeter if better drained. He supposed that in the course of time this latter defect would be got over, and honorable members when they came to Wellington would enjoy better health.

The Hon. Colonel BRETT considered that the lateness of the session was no reason why they should not pass this Bill, for if they considered it a desirable measure they could pass it through all its stages in a very few minutes. One effect of the Bill would be the improvement of the sanitary condition of the town, because Te Aro was very unhealthily situated, and the reclamation would enable the sewers to be carried into deep water, and proper means for the drainage of that part of the town would thus be afforded. They all knew that Wellington was a lovely city, and equal in point of beauty to any place in the world. Viewed from any point it was a charming place, and he believed that, if it were a healthy town, people from every part of the world would come and reside in it. The great drawback was its very bad sanitary arrangements.

The Hon. Colonel WHITMORE thought there was not much to be said in regard to this scheme. It would be a very laudable scheme if it were not a little too early to begin it. The only question was, whether it was not a little too early in the day. It was proposed to reclaim at the Te Aro end before the reclamation at the Thorndon end was either completed or occupied. He did not agree with the Hon. Colonel Brett that the effect of the reclamation would be to improve the sanitary condition of the city, because the danger in that respect always existed most in the case of low-lying land, and the Te Aro part of the town had been built upon without proper precaution having been made for drainage. He should like to see some provision in the Bill making it imperative that proper sewers should be constructed. The great scheme for the drainage of Wellington, he thought, had better be fairly begun before the reclamation at the Te Aro end was undertaken; but that was only a matter of opinion. If the Town of Wellington liked to undertake this speculation there could be no doubt about its ability to bear the burdens, and, as business men, the local body probably understood what they were doing. The colony was very little interested in the matter. The reclamation up to the present time had been a good speculation and a success, and there was no reason to suppose that this one would not pay, although it might be some time before it would, because there might not have been quite enough time left between the last reclamation and this one.

The Hon. Dr. GRACE said it would not be fair that this Bill should go by without his making some remarks. He introduced a Bill into the Council about three years ago with the object of authorizing the Municipal Corporation to reclaim

this land. Among other grounds upon which he recommended it were these: that it would be an advantage to have some means of carrying off temporarily, at any rate, the drainage which gravitated to that end of the town. However, the Bill was not favourably received. The position of the question was this: There was a special vote taken under the Municipal Corporations Act, by which the majority of the ratepayers agreed to make themselves liable for the loan. That was the first step. Next there were some private meetings held, at which compromises were suggested, and in many instances agreed to, on the part of private holders, as regarded their interest in water frontages, &c. The matter had been under the consideration of the ratepayers for a very long time; but it was found that there was a flaw in the title which the Corporation held to the land—at least, the City Solicitor was of opinion that, without a special enactment, the Corporation could not proceed with the reclamation, though originally the Corporation was under the impression that, as soon as the means were procured for the purpose under the provisions of the Municipal Corporations Act, the work could be proceeded with. That was the reason why the Bill had been brought in at this late period of the session. For himself, he did not think that there was any particular hurry for this reclamation. Nevertheless in that matter he differed in opinion from the Municipal Corporation and from the majority of the citizens. For his part he objected to all this precipitancy, as he called it, to build up a country in a week; but the citizens were under the impression that this work, inasmuch as it would be absolutely productive, should be immediately proceeded with. The one thing that would recommend such a proceeding to him was, that he was quite sure that the present system of drainage, which was under consideration by the Corporation, which had been considered by a consulting engineer, and was still further to be referred to another consulting engineer, could not be adopted in this town—that, if adopted, it would be a failure, would be excessively extravagant, and fruitless for sanitary purposes. Now, in the meantime they must have some means of carrying off the surplus drainage of the town. That the town would be bound temporarily to discharge the drainage into the harbour he had no doubt. Therefore, as far as that went, and as far as the present sanitary condition of the town was concerned, there was some little necessity for the Bill. Beyond that, he did not think there was any present necessity for the measure; nevertheless it was only fair that honorable members should understand the matter, and what, as he took it, were the merits of the case. The measure had now received from the Council at any rate three times as much consideration as had been given to other important Bills that evening.

The Hon. Mr. HART, in reply to a suggestion by an honorable member who had opposed the Bill, said he would never have taken the responsibility upon himself of advocating the passing of this Bill had he not assured himself that it would be to the interest of the Corporation that the

money should be so spent. Every interest was protected. He might say, however, that he was quite willing, as the time was so late, that the Council should merely affirm the principle of the Bill. He could not expect to get the Bill through at so late a period of the session.

Bill read a second time.

#### RAILWAY BILLS.

The Hon. Mr. HALL, before the next Order of the day was called on, wished to state that, owing to the late hour of the evening and the fact that so many members were almost on the point of embarkation, he felt, although he had done his best to get the Railway Bills through, he must take the course suggested by some honorable gentlemen on the second reading of the Bills, and that was, to drop the Bills. He did not see any chance of getting the Bills through, and he thought he was best consulting the wishes of the Council and the interest of the country by asking that the Orders of the day for the committal presently of the Strath Taieri Railway Bill, the Canterbury Railways Land Reservation Bill, and the Hutt-Waikanae Railway Bill be discharged, and be made Orders of the day for Tuesday next.

The Hon. Colonel WHITMORE said he had an amendment to move. With regard to one of those Bills, he was anxious to see it passed; with regard to another, he was bound to vote for it; and with regard to the third, he had opposed it and should continue to oppose it. He had made a distinction between certain Harbour Board Bills last year; and he made a distinction between these three Bills, and he wished each to be judged upon its merits. He firmly adhered to the principle of the Strath Taieri Bill, and should do all he possibly could to pass it. As to the Canterbury Bill, he had said all he intended to say against it. He had said he did not like it, but the Government to which he belonged had given a silent vote in favour of it, and he could not but vote for it. The third Bill he should be glad to see thrown out. The difference between the first two Bills was this: that the Strath Taieri line went through and opened up Crown land, whereas the lines mentioned in the Canterbury Bill did not. He thought, therefore, that the Strath Taieri Bill ought to be carried, and that the line ought to become part of the colonial scheme. He could not offer any assistance, except his vote, to the Canterbury Bill. Canterbury had quite enough champions, and got on very well. The fact of honorable gentlemen going away was no reason why the Strath Taieri Bill should not be proceeded with. At any rate, the Bills ought to have a chance. He moved, as an amendment, That the Council go into Committee on all the Bills ordered to be committed presently.

The Hon. Dr. GRACE took exception to the necessity for going on with the Strath Taieri line, on the ground that the land through which it would run was already protected by the fact that it was at present under lease, and consequently could not be alienated. The Colonial Secretary said that the principal object of the Bill was to have the line surveyed. There was a great prin-

*Hon. Dr. Grace*

ciple underlying the whole question, and the principle should be pursued to its legitimate consequences. The only principle upon which the passing of these Bills could be justified was the reservation of the land from sale for the purpose of constructing railways. Inasmuch as it was impossible to alienate the land, it was unnecessary that this line should be proceeded with. If there was a line which it was to the interest of the State to go on with, it was the Hutt-Waikanae line, because in that case the lands were open for sale and could be bought up by speculators. An honorable gentleman interrupted him with the remark that the price fixed upon the land was now £2 an acre; but the land was worth £2 an acre long before the idea of constructing a line through it was suggested, so that that was a hypothetical difficulty. If it was necessary to sell land for purposes of finance, it was most probable that the land through which the Hutt-Waikanae line would pass would be sold, because the land revenue of the Province of Wellington was excessively small, and under these circumstances the Waste Lands Board would have put upon it that pressure which always existed in times of financial necessity, and the land would be sold. It was true that the land proposed to be reserved for the Canterbury lines was open for sale, but it was equally true that those lines of railway did not so largely run through unsold land. The Strath Taieri line was the least necessary, and the most necessary line in the interests of the State for which land should be reserved was the Hutt-Waikanae line. The policy which the Colonial Secretary advocated was not dictated by foresight, as there was no particular necessity to proceed with any one of these railways.

The Hon. Captain FRASER said all the land through which the Strath Taieri line would run might be thrown open for sale to-morrow. The Government could take it, if they pleased, and declare it into hundreds and agricultural leases. When the Hon. Dr. Grace said that none of the land was open for sale he showed he was not acquainted with the land laws of the Province of Otago. He wished honorable gentlemen would make themselves better acquainted with these matters than they appeared to be. He was not surprised at the injustice the Hon. Mr. Hall had done to the Strath Taieri Bill; but, by the ruling of the Speaker, any other honorable member had the right to take up a Bill that was dropped, and he was glad his honorable friend the Colonial Secretary had taken up this Bill. The Hon. Mr. Hall had not, in his opinion, done justice to the Strath Taieri Bill. It was the first of those Bills that was in existence. It was before the other House long before the other Bills were thought of; and he believed that the unseemly scramble they had heard of was brought about simply by the introduction of this Bill. If it had not been for the colonialization of the Land Fund they would never have heard anything of the creation of those reserves in Canterbury. The Strath Taieri Bill was on a totally different footing from the Canterbury Bill, which would increase the value of the runs at the public expense, whereas in the case of the Strath Taieri line the colony would

get the advantage of the increased value which the railway would give to the lands. The land through which it ran was not sold. It was all Crown land, and if it was connected with the capital of the province by a proper means of communication it would be a great source of wealth not only to the district but to the whole colony. There were several large towns on the proposed line of railway. There were the Town of Naseby; the Town of Ophir—a name which had a gold-like sound about it, and a name which was well chosen, because it was the centre of a rich auriferous district. Then there was Alexandra, which was also the centre of a gold country, from which hundreds of thousands of pounds' worth of gold had been extracted. And there was Clyde, which was the centre of another large mining population. They had not heard any of the Canterbury members mention the existence of any large towns through which the lines in that province would run. In England when it was proposed to make a line of railway it was always understood that that line should first receive consideration which connected large towns. The Strath Taieri line would connect Dunedin with four or five large towns, and that had not been shown to be the case with regard to the Canterbury lines. He should support the Colonial Secretary in the course he had adopted.

The Hon. Dr. GRACE said he had made specific inquiry as to whether the land in the neighbourhood of the Strath Taieri line could be sold or not, and he was distinctly informed that it could not be sold until the expiry of the pastoral leases.

The Hon. Sir F. DILLON BELL said it could not be sold unless the Government compensated the pastoral lessees, and he did not think the Government intended to take that course. There was one point which seemed to have been forgotten by honorable gentlemen, and that was that, when the Strath Taieri Bill came up from the other House, the honorable gentleman who introduced it there applied to all the members of the Council resident in Otago to take charge of it, but they all declined; and then the Hon. Mr. Hall was induced to take it up. He felt bound to say that the honorable gentleman had done his duty to the Bill in every possible way. He had pressed it in season and out of season, and had advanced every argument that could be adduced in favour of it. The statement that he had not done justice to it was therefore scarcely justifiable. The point they had to consider was this: A Committee was appointed to whom was relegated the duty of considering all these Bills, and of weighing all available evidence as to their advisability or otherwise, and they brought up a proposal which they thought would gain the assent of the Government to all these measures.

The Hon. Colonel WHITMORE would like to ask the honorable gentleman upon what information he assumed that the Government had undertaken to support the other Bills. The only Bill in regard to which the Government admitted any responsibility was the Strath Taieri Bill, which they would probably have introduced themselves had they been in office when it was brought before

the Legislature. They had their flying surveys and everything ready; but the others were not introduced at all in any other way than as private Bills.

The Hon. Mr. ROBINSON thought the Hon. Mr. Hall was the last member of the Council who should be accused of not having done justice to any motion he might have brought before them. The Hon. Captain Fraser had told the Council that he did not think the Hon. Mr. Hall had done justice to the Strath Taieri Bill, and the honorable gentleman digressed a little, and endeavoured to show that the Canterbury people were very grasping and tried to get this, that, and the other Bill passed to which they had no right. He was surprised at that remark from the honorable gentleman, because he could not forget that he had supported the very Bill which had reference to Canterbury, and gave very good reasons for his action in doing so. He thought that if he had been in the position of the Colonial Secretary he would have accepted the motion of the Hon. Mr. Hall. There was no doubt that these Bills had been well ventilated and debated; but from what had occurred it must be apparent that, before legislating on matters of this kind, they ought to have some definite plans and reports as to the nature of the country through which the railways were to pass. They had been told that the Strath Taieri line went through country that was all Crown land; but that land was locked up in such a way that it could not be sold until the expiry of the lease, unless the Government chose to compensate the present tenants. Notwithstanding this fact, the Hon. Captain Fraser informed the Council that there were very large towns all along the line. Now, it seemed very strange that there should be populous towns and yet be no purchased land along the line: were people in that locality content to build and expend money upon Crown land? If they did, it was the only part of the country of which he was aware in which such a practice existed.

The Hon. Mr. BUCKLEY said that these Bills were referred to a Committee because they involved a new principle—that of reserving the land for the purpose of constructing railways. This was the only case which would not suffer through the Bill not being passed this session. Not only was all the land along the proposed line in the hands of runholders, and could not be taken from them without notice from the Government and compensation being given where necessary, but the Government had actually gone further, and if honorable members would refer to the report of the Committee they would see a schedule in which it was shown that the land was all temporarily reserved by the Government, and he believed that surveyors were actually at work surveying this particular land, so that everything was being done that could be done; and he contended that not a single acre of the land could be sold unless the Government chose. As they hoped to meet again in the course of six months, it would be well that these Bills should be left over until next session, when he hoped that the course suggested by the Hon. the Colo-

*Hon. Colonel Whitmore*

onial Secretary would be taken—namely, that any proposals for the construction of railways would be brought in by the Government themselves.

The Hon. Colonel WHITMORE objected to the Hon. Mr. Hall laying upon his shoulders the allowing Bills to lapse which the Government had promised to support. The honorable gentleman could not but admit that every facility had been given for the progress of private business by the Government. He would ask leave to withdraw his amendment.

Amendment by leave withdrawn, and Bills discharged.

The Council adjourned at a quarter to twelve o'clock p.m.

## HOUSE OF REPRESENTATIVES.

*Friday, 7th December, 1877.*

First Readings—Second Reading—Waste Lands Sale Bill  
—Great South Road—Toll-free Brunner Railway—  
Hokitika and Greymouth Railway—Supply—Winton-  
Kingston Railway.

Mr. SPEAKER took the chair at twelve o'clock.

PRAYERS.

### FIRST READINGS.

Appropriation Bill, Immigration and Public Works Appropriation Bill.

### SECOND READING.

Appropriation Bill.

### WASTE LANDS SALE BILL.

Mr. SHEEHAN brought up the reasons of the Managers for disagreeing with the amendments made by the Legislative Council in this Bill, and moved, That the reasons be agreed to.

Mr. STOUT moved, as an amendment, That the amendments made by the Legislative Council be agreed to. He might state that he thoroughly agreed with the reasons drawn up by the Managers appointed by the House, and, had it been at an earlier period of the session, he would have gladly supported them. He hoped to see the homestead system applied to the whole of the colony, as he believed it would be a great boon. He believed, however, that, if they insisted upon disagreeing with amendments made by the Legislative Council, it would possibly result in the whole Bill being thrown out. It was impossible that effect could be given to the proposal contained in the Bill before next session.

Mr. REES hoped the House would agree to the amendment made by the Legislative Council, although he did not believe it improved the Bill. He agreed with the honorable member for Dunedin City that, if they persisted in their antagonism to the other branch of the Legislature, the result would very likely be that the Bill would be thrown out. He considered that the measure was one of very great value; but, as nothing could be done during the next six months to give effect to the proposal with regard to the homestead system, he trusted the Bill would be passed into law this session. Next session the necessary

arrangements could be made for carrying out the homestead system all over the colony.

Mr. W. WOOD wished to know if the Government would consider it desirable to set aside blocks of land during the recess, so that, in the event of the homestead system being adopted next session, the measure could be brought into immediate operation.

Mr. MACANDREW considered it very desirable that the homestead system should be brought into operation, but he did not think, under existing circumstances, that they should insist upon its being made part of the Bill. The Government would, during the recess, do everything in their power to anticipate action in this direction next session.

Mr. MONTGOMERY would not vote for the amendment. If it was a good law for the North it was a good law for the South. The Legislative Council should take their reasons into consideration, and give due weight to them. These reasons were very clearly set forth, and he thought the House should adhere to them. He would vote in favour of the reasons for disagreeing with the amendments made by the Legislative Council in the Bill.

Sir G. GREY thought the House ought to insist upon the adoption of the reasons drawn up by the Managers. If they did not, he believed they would weaken the principle contained in the measure; and, if they gave up that principle now, they would embarrass the legislation affecting the lands of the colony. He thought they should make a trial, as the question was one of the utmost value to the settlement of the colony.

Mr. BUNNY thought there could be no harm in trying to have a Conference with the other branch of the Legislature on this matter, as, if they could not come to an agreement, it would still be open to the House to accept the Bill with the amendments made by the Legislative Council.

Mr. ROLLESTON could not see how the amendments made by the Legislative Council could embarrass the legislation affecting waste lands. It had been said by the honorable member for Dunedin City that effect could not be given to the system during the next six months. Therefore the only result would be to stop the land sales. He could not approve of the scheme of the Government, and he hoped they would not insist on this clause remaining in the Bill.

Mr. REID said the discussion which was now taking place would weaken the hands of the House in urging reasons for disagreeing with the amendments of the Legislative Council. The only new feature in the Bill was the clause they were now discussing. He thought a uniform land law should be in force for the whole colony, and held that the deferred-payment system would meet all their requirements. The same advantages should be held out to the people to settle in all parts of the colony. He quite agreed with the Premier that if they lost the principle this session it would probably very materially weaken their prospect of obtaining it in a future session. The Legislative Council had agreed to the principle in regard to all but two districts, and he did not see

why they should object to its being applied to the other districts, or why they should refuse to them the benefits conferred by the clause. He hoped the House would insist upon the adoption of the reasons drawn up by the Managers.

Major ATKINSON said that one reason why he voted against the clause was that the whole thing was ill-considered and hurried, and that they were making very important changes which apparently would not be brought into operation during the currency of this Act. He did not approve of making very important changes in the land laws of the colony without due consideration. The great fault of their legislation was that they were perpetually changing the land laws, so that it was almost impossible for any one to understand them. He would do what he could to throw out this Bill, which he considered to be a vicious and bad measure. It was worse than useless, and would have a detrimental effect upon the settlement of the North Island. It was certainly no part of the policy of the present Government. It was brought in to satisfy the honorable member for Akaroa. He would oppose the passing of this particular clause, because he agreed with the honorable member for the Taieri that equal facilities should be given for settlement all over the colony, and that could not be done by equalizing the price of land.

Mr. J. C. BROWN did not wonder at the opposition of the honorable member for Egmont, inasmuch as this Bill was far too liberal for him. It would lead to the settlement of the country, and that was why the honorable gentleman objected to it. He was rather surprised that the honorable member for Dunedin City should endeavour to set aside this proposal for the present session. If it were not adopted this session, they might never again have the same opportunity of adopting it.

Mr. KELLY said the real question was as to the best means to be adopted for the settlement of the people upon the land. Instead of this proposal tending in that direction, it would only have the effect of disorganizing the arrangements of the Waste Lands Boards throughout the colony. It would put a stop to land being taken up on the deferred-payment system, and would operate unjustly to those who had taken up land under that system at 30s. or 40s. an acre, as others coming alongside of them would be able to get the land at a lower price. He hoped the Bill would be thrown out, as it was ill considered. The question should be postponed until next session, when a well-considered scheme could be brought forward to give effect to the object in view.

Dr. HENRY said the homestead system was one that would suit his district, but he thought it should only apply to the heads of families. He thought it would induce settlement, and he should like to see the system extended to the Buller District.

Question put, "That the words proposed to be omitted stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	29
Noes	...	...	...	15
Majority for	...	...	...	14

## AYES.

Major Atkinson,  
Mr. Baigent,  
Mr. Barff,  
Mr. J. C. Brown,  
Mr. J. E. Brown,  
Mr. Bunney,  
Mr. Dignan,  
Sir R. Douglas,  
Mr. Fisher,  
Mr. Gisborne,  
Sir G. Grey,  
Mr. Hamlin,  
Dr. Henry,  
Mr. Hislop,  
Mr. Hursthouse,

Mr. Joyce,  
Mr. Macandrew,  
Mr. Murray,  
Mr. Nahe,  
Mr. O'Rorke,  
Mr. Pyke,  
Mr. Reid,  
Mr. Rowe,  
Mr. Swanson,  
Mr. Takamoana,  
Mr. Tole,  
Mr. W. Wood.  
*Tellers.*  
Mr. De Lautour,  
Mr. Montgomery.

## NOES.

Mr. Bryce,  
Mr. Carrington,  
Mr. Curtis,  
Mr. Gibbs,  
Mr. Kelly,  
Mr. Macfarlane,  
Mr. Mauders,  
Mr. Rees,

Mr. Richardson,  
Mr. Rolleston,  
Mr. Stevens,  
Mr. Teschemaker,  
Mr. Wason.  
*Tellers.*  
Mr. Ballance,  
Mr. Stout.

## PAIRS.

## For.

Mr. Baistings,  
Mr. Hodgkinson,  
Mr. Larnach,  
Mr. Lumsden,  
Mr. Lusk,  
Mr. Reynolds,  
Mr. Seaton,  
Mr. Shrimski,  
Mr. Taiaroa,  
Mr. Wakefield,  
Dr. Wallis,  
Mr. B. G. Wood.

## Against.

Captain Kenny,  
Mr. Murray-Aynaley,  
Mr. Williams,  
Mr. Fox,  
Mr. Button,  
Captain Morris,  
Mr. Stafford,  
Mr. Sutton,  
Mr. Tawiti,  
Captain Russell,  
Mr. Harper,  
Mr. Cox.

The amendment was consequently negatived, and the reasons for disagreeing with the amendments of the Legislative Council adopted.

## GREAT SOUTH ROAD TOLL-BARS.

Mr. O'RORKE asked the Premier, Whether the Government will cause the money that has accrued, and is now accruing, at the toll-bars on the Great South and Onehunga Roads to be expended on the road to the Waikato and the road to the Onehunga Wharf, as was formerly done by the Auckland Provincial Government; or else apportion the money for the maintenance of these roads to the governing bodies of the districts through which these roads run, according to an approximate estimate of the tolls paid by such districts? This was a question of considerable interest to the people residing in the district referred to in the motion. The money was now lying idle, and he thought it should be spent on the roads referred to.

*Dr. Henry*

Sir G. GREY said the money was only being held until the Government ascertained in which way it should be distributed among the governing bodies of the districts named. The Government would take care that the money was properly distributed.

## BRUNNER RAILWAY.

Mr. KENNEDY asked the Minister for Public Works, If the Engineer-in-Chief has recommended additional coal-hoppers for the Brunner Railway; if the same have been ordered; and when they will be available for traffic on the line?

Mr. SHEEHAN said that no doubt something should be done in this matter, and the Government would make inquiries on the subject.

## HOKITIKA AND GREYMOUTH RAILWAY.

Mr. BARFF, in moving the motion standing in his name, desired to call the attention of the House to a few facts. In the first place, he would say that the construction of the line of railway between Hokitika and Greymouth was proposed many years ago: in fact, the survey of it was begun eight or nine years ago, and had been some time completed. Not only had this been done, but the Engineering Department had fixed upon a definite line. The Engineer-in-Chief, Mr. Carruthers, and the District Engineer, Mr. O'Connor, had stated in their evidence before the Committee that tenders could be called for at once. He (Mr. Barff) did not ask that the money should be voted at once; he merely asked the House to say that the report should be adopted, so as to guide the Government and the House in authorizing the construction of the work next year. He thought it would be admitted that this was a work of considerable importance—that the West Coast was entitled to have railway communication connecting these two large centres of population, particularly when they remembered that the construction of railways in other parts of the colony had done a large amount of good in opening up settlement and in increasing the value of property. He would have been glad to go into statistics to show the importance of these two towns being connected by railway, but from the manner in which the statistics were prepared they did not afford the necessary particulars. The millions of feet of timber exported from Hokitika and the large quantities of coal exported from Greymouth did not appear in the statistics at all. The Customs revenue for Hokitika and Greymouth last year was £277,941, being a large increase on the revenue of the previous year. The report of the Committee had been before honorable members for some considerable time, and doubtless they had made themselves acquainted with the various reasons which had led the Committee to arrive at such a result. The Committee, after carefully investigating the subject, were unanimous in recommending the construction of the line. The gist of the report was contained in the last paragraph: "The Committee therefore recommend the construction of the line, and trust that the

Government will see their way to cause the work to be undertaken." That was a general recommendation that the line should be made, and he trusted the House would favourably consider it.

Motion made, and question proposed, "That this House doth concur in the recommendations contained in the report of the Hokitika and Greymouth Public Works Committee on the proposed construction of a line of railway to connect the towns of Hokitika and Greymouth."—*(Mr. Barff.)*

Mr. GIBBORNE said that the motion referred to a matter which should be favourably considered by the Government and the House. The West Coast had peculiar claims in connection with the carrying out of the Public Works and Immigration policy. He thought the proposed railway would pay working expenses, and would give a reasonable prospect of paying the interest on the cost of construction. It would be the continuation of the main line which he hoped would very soon join the East and West Coasts.

Mr. MACANDREW said that the Government had no objection to the motion being adopted. Of course it was a very large question, involving the expenditure of a quarter of a million of money. If the House agreed to the motion the Government would take that as an instruction that the matter should be inquired into, and a proper report prepared, to be submitted to the House next session.

Mr. RICHARDSON said that the Government had already ample details in connection with this matter. He did not know whether the Government intended to incur any expenditure before next session.

Mr. MACANDREW said that the Government would not incur any expenditure without the authority of the House.

Mr. WOOLCOCK said that plans and specifications of the most detailed character had already been prepared, so that if the Government decided to construct the railway they could at once call for tenders.

Mr. J. E. BROWN did not think the House should pass this resolution, and pledge itself to the construction of this line of railway.

Mr. BOWEN said if the House adopted the motion it would be committing itself to a very large expenditure. The honorable the mover ought to be satisfied with the assurance given on the part of the Government, and withdraw the motion.

Mr. BARFF would decidedly object to withdraw the motion.

Mr. REID would ask the honorable member to accept the assurance of the Government that they would give the matter consideration during the recess, and withdraw the motion. If the resolution were adopted it would be brought up next session, along with the report, to show that the House had agreed that the work should be proceeded with.

Mr. STOUT would also suggest that the honorable gentleman should withdraw the motion; otherwise he would be obliged to vote against it.

Mr. KELLY thought the House should not now be asked to commit itself to the expenditure

of a quarter of a million without having proper information before it.

Mr. TRAVERS said the honorable gentleman should not insist upon this motion being agreed to when the Government had signified their intention to take the matter into consideration. They were not justified in committing the Legislature to an undertaking of this kind, involving so large an expenditure. The only effect of doing so would be to embarrass the Government. He did not think the honorable member was consulting the interests of those whom he desired to benefit by pushing on this matter in the way he was doing.

Mr. BARFF could only express his regret at the position in which he was placed, but he had no other course than to ask leave to withdraw the motion. He might state distinctly that no further possible information could be obtained than was already available for the Government, and he only regretted that they had been so short a time in office that they had been unable to look into the matter. He would, however, accept the assurance that had been given to him by the Government.

Motion by leave withdrawn.

#### SUPPLY.

The House went into Committee of Supply.  
Taranaki Mountain Road, £10,000.

Mr. STOUT thought honorable gentlemen should have some explanation with regard to this vote. The House had already voted £4,000 for the purpose of constructing the road in question, and he did not see why that sum should be all expended before the next meeting of Parliament six months hence.

Major ATKINSON said that he had explained the matter to the Committee on the previous evening, but he was afraid that the honorable member had not paid much attention to his explanation. They could spend £30,000 on the road in question with great advantage to the colony. There were two roads running from Hawera, through the Waimate Plains, to New Plymouth. One of these roads runs round the coast, and the other, which was called the Mountain Road, runs through the bush country to the Town of New Plymouth. The latter was thirty-five miles less in length than the former. The Maoris would not allow the road round the coast to be made, and the coach had to get along as best it could. The Maoris along that road were very troublesome, and they would not allow the telegraph to be taken over it; and only a few months ago a prisoner was rescued from the custody of the police by the Natives in that locality. The new road, for the making of which the money was asked for, was undoubtedly a main road, and if it were made it would open up the country for settlement. The present road was not at all fit for coach traffic. He had always considered that it would be good policy to open up the Mountain Road and abandon the one at present in use. He thought that £10,000 might make the Mountain Road passable, but it would take £30,000 or £40,000 to make a good road of it. The Taranaki Land Purchase Fund had



nothing to do with the colony. It was money set apart for the purchase of land in Taranaki, and, as it had not been used for that purpose, the province had a better right to it than anybody else.

Mr. SHEEHAN hoped the Committee would pass the item. The money asked for was purely provincial property, and if it were spent on the road in question the Government would have some control over the road, which they had not over the present road. The making of the road, however, would lead to the settlement of the land in the province.

Mr. ROLLESTON hoped the honorable gentleman in charge of the Estimates would not insist on the item being passed, because he thought that so large a sum should not be asked for in such a way at the close of the session. He believed that the sum of £4,000 which had already been voted for the road would be sufficient for the present. He would vote against the item.

Sir G. GREY thought there was some misunderstanding about the matter. A certain sum of money had been voted to procure a landed estate in Taranaki, but it had not been expended. There was a large tract of valuable land there, which, if opened up for settlement, would probably become one of the most thickly populated and productive parts of the colony. It appeared to him that, in spending the money asked for on this road, they were really purchasing a landed estate for Taranaki. He agreed that the money could not be spent in six months; but, on the other hand, as the money was available, it would be well to give a pledge that £10,000 of it would be laid by for the purpose of securing a landed estate for Taranaki. The construction of this road would be a work of the most beneficial kind, and be productive of the greatest possible advantage. Taranaki had been for years separated from the rest of the colony. There was no road by which the people could reach the northern part of New Zealand except on foot. It was even now impossible to travel through that country with certainty, owing to obstruction by Natives. This road would open up large and fertile districts, which would immediately be inhabited, and the construction of it was one of the wisest operations any Government could undertake. The people of Taranaki had a peculiar claim upon the sympathy of the rest of the colony. They had no doubt for years held for us an advance post which was extremely dangerous. The people had held their ground manfully, and the tale of the struggles of this settlement would be looked upon as one of the most interesting and heroic episodes in the history of New Zealand. The proposal was simply to transfer a vote from one purpose to an analogous purpose of greater value. He trusted that honorable members, on reflection, would see the desirability of consenting to this vote.

Mr. STOUT said people in Otago had to bear the inconvenience and risk of want of roads, but they did not ask the colony to step in and make the roads for them. The honorable member for Egmont stated that this money belonged to Taranaki because it was set aside for the purchase of

*Major Atkinson.*

land. If the land was purchased it would become the property of the Crown, and not of the province. Only 20 per cent. would belong to the province under the scheme for colonializing the land revenue.

Mr. BRANDON would oppose this vote. He thought it was quite time they changed their policy in dealing with the Natives.

Mr. SHEEHAN said the making of this road would have an important bearing on the Natives on the West Coast. When his predecessor came into office he had over a million of money to spend on Native matters, whereas he (Mr. Sheehan) came into office without purse or scrip. The House ought not to be illiberal. The construction of this road would open a large extent of excellent country, would employ a large amount of labour, and would be on the West Coast the symbol and sign that Native disturbances would for ever cease in that part of the country.

Mr. RICHARDSON admitted that the reasons given for making this road were feasible. He had no objection to setting aside the money for assisting in making a railway in that district, instead of spending the money in making a road, at a large expense, which would very shortly have a railway running over it.

Mr. MONTGOMERY said the Committee should pause before agreeing to this vote at the present time. He would feel it to be his duty to oppose it.

Mr. BRANDON did not advocate going to war with the Natives; but they should change their Native policy, and exhibit more firmness towards the Natives.

Sir R. DOUGLAS would support the vote, as he considered the making of this road would be a very good thing for the country. With regard to the Beach Road, the Natives recognized their right of turning the Europeans off that road.

Item, £10,000, agreed to.

#### CLASS XI.

Miscellaneous, special, and temporary objects, £1,230 5s., agreed to.

#### CHARGEABLE ON PUBLIC WORKS ACCOUNT.

Miscellaneous Public Works, £6,000, agreed to.

Public Buildings, £400, agreed to.

Works required to open land for settlement, £50,000.

Mr. STOUT thought this vote ought to be struck out. It was impossible to expend the amount in six months, and there had been already a great many votes passed for roads throughout the country. There should be maps prepared of the various blocks through which roads had to be made to open them up for settlement, and then next year the House would have data on which to vote the money.

Mr. SHEEHAN explained that this was the sum intended to have been expended under the Settlements Works Advances Bill. He voted against that Bill, because there was no provision in it directing the Government as to where the money should be expended; but under the pre-

sent proposal there was such a direction, and the proposal was therefore deprived of the only objection that he had to it, because the money was apportioned to the particular districts.

Mr. REID would like to know wherein lay the difference between this proposal and that under the Settlements Works Advances Bill. Was not this a lump sum to be expended as the Government thought fit? Could not the Government expend the money in any locality in the districts named in the vote? Was it not giving the honorable gentleman the very power which he strongly objected to under the Settlements Works Advances Bill? The only difference between the two proposals was, that under the proposal of the late Government the land was to recoup to the colony the first expenditure on it, and there was to be money set apart to expend year by year; whereas, under the proposal of the present Government, the whole expenditure was to be borne by the colony. In the elegant language used by the honorable member for Auckland City East in regard to the Settlements Works Advances Bill, this was nothing more than a vote to bribe members of the General Assembly. So far as the proposed apportionment went, it was an absolute injustice, looking to the lands that were likely to be opened up this year. To put down for Canterbury only £3,000 and for Otago only £6,000 out of a vote of £50,000 was most unjust, seeing that those two districts supplied the whole of the Land Fund of the colony. He would vote against the proposal, not that he objected to Crown land being improved before being opened to sale, but because he thought the cost of that improvement should be made a charge on the land, and not taken out of the general chest.

Mr. SHREEHAN said the speech of the honorable gentleman showed the evil consequences that flowed from a change of Government in the middle of the session. The distribution now proposed was absolutely the distribution proposed by the late Government, and was laid, with other papers, before the present Government when they took office. He would not be astonished to hear that it came from the honorable gentleman himself. Was it that, when the House voted against a lump sum being given to the Government, the honorable gentleman rushed out in a fit of desperation and made out this distribution? He might tell the honorable gentleman that his late colleague, the honorable member for Otago, asked him (Mr. Sheehan), only on the previous evening, whether the present Government were going to bring in the subdivision of the amount which that honorable gentleman and his colleagues had made out, and he (Mr. Sheehan) replied that they were. Under those circumstances the virtuous indignation of the honorable gentleman was rather thrown away.

Mr. BOWEN said that whether the division was made in one of the departments or not had nothing to do with the question raised by the honorable member for the Taieri. He (Mr. Bowen) knew nothing of the division when the proposal was made by the late Government to undertake these works and charge the expenditure on the

land. At that time the expenditure would have been charged on the various provincial districts, and that was a very different thing from carrying out the works in this way, now that the land revenue was made colonial. For instance, when the proposal of the late Government was brought forward, it was known that there was plenty of Land Fund in Canterbury out of which to make roads, and therefore it was not necessary to put down a large amount for that district; but, now that the Land Fund was made general revenue, the proportions should be according to the extent of country that required to be opened up in the various districts. He was glad that the proposal to strike out the vote came from the honorable member for Dunedin City (Mr. Stout), a supporter of the Government, and he hoped the Committee would pluck up courage and strike it out. The fact of the matter was, that the House was voting away hundreds of thousands of pounds for a number of small works throughout the colony without knowing where the money was to come from. He did not mean to say that the money would be wrongly spent, but the Committee had just voted £1,500 for trunk roads in the County of Wanganui, and he did not know whether a large proportion of this new vote might not also be spent in that county, when there were other counties that required it just as much. An expenditure of that kind was very different from giving money to open up land for settlement.

Mr. REID thought it was rather unfair that the Native Minister should have made such a statement as he did, when it had been stated time after time to the House that these proposals had never been before the late Government. He had never seen them. If the Settlements Works Advances Bill had been passed it would have been the duty of the Minister for Lands to state what lands ought to be opened for settlement, and if he held the office he would take care that no proposal drawn up in the office of the Minister for Public Works should be given effect to until it had been considered by the Cabinet, and assented to by the Governor in Council.

Mr. SHEEHAN would be content to take the vote on the voices.

Item struck out.

#### CHARGEABLE ON PROVINCIAL LIABILITIES ACCOUNT.

Auckland and other provincial districts, £300,000.

Mr. STOUT wished to know what the £40,000 for Auckland meant. If it was to be expended in the counties he might point out that the House had already provided funds for that purpose in the Financial Arrangements Act.

Mr. SHREEHAN said this amount formed part of the provincial liabilities. Those liabilities amounted altogether to £661,000, made up of sums for various purposes. Of that amount about £100,000 would not require to be met until September next. Against that there was a sum of £150,000 to the credit of last year's vote. The Government did not propose to take a vote for the whole of the amount. They proposed to ask the Committee to authorize them to apply to the

payment of the liabilities a sum of £260,000 during the remainder of the financial year. In addition to the amount at present to the credit of the Provincial Liabilities Account, the Treasurer might make an advance from the loan which was to be raised under the provisions of the Loan Bill which was passed on the previous evening. After these sums were paid no new provincial liabilities would be acknowledged by the colony. Of the whole £661,000 of provincial liabilities, Otago took up £246,000; Canterbury, £194,000; and Auckland, only £9,405. That was owing to the fact that Auckland had almost starved herself in order to keep out of debt, while the other provinces, which had more astuteness, knew how to "work the oracle," and consequently contracted large liabilities. Auckland had for some years past been contributing upwards of £300,000 annually to the revenue in the shape of Customs duties, and it was unfair that she should be put down for so small a sum in comparison with the other provinces. The late Government had themselves admitted that it was unfair. He hoped the House would agree to give Auckland the £40,000 asked for.

Mr. STOUT denied that Otago had run rashly into debt: in fact, it was well known that the Provincial Treasurer, the honorable member for Waikouaiti, had always endeavoured to hang up anything in the shape of provincial liabilities. Otago had certainly got into debt, but that was caused by the action of the General Government. All the votes which the colony was now asked to pay were passed by the Provincial Council of Otago on the distinct understanding that they were not to come out of revenue, but either out of loan, or out of revenue derived from the sale of waste lands. They intended to pay the money out of the land revenue, but the General Government suddenly put a stop to the sale of lands in Otago, and therefore the province could not pay it. The Provincial Government were offered £1 an acre for a large quantity of land, but they were not allowed to sell it. The same price would never be obtained again, for at the present time much better land was being sold at 7s. 6d. an acre. He held that it was unfair to taunt Otago with having run into debt.

Mr. BOWEN admitted that Auckland was in an exceptional position as far as the land sales were concerned, but at the same time he would like to know how the money now asked for was to be spent. He thought some explanation on that point should be given by the Government.

Mr. STOUT would inform the honorable gentleman that the money was to be distributed *pro rata* among the counties.

Mr. McLEAN held that it would not be right to give this £40,000 to Auckland, and he would vote against it. Auckland was to get her share of the land revenue of the colony, and she ought to be satisfied.

Mr. MANDERS said they were sitting there to do justice to the various parts of the colony, and, as he thought that Auckland was entitled to this £40,000, he would vote for it.

*Mr. Sheehan*

Mr. GISBORNE said that, while large sums were voted to other provinces under the Provincial Appropriations Extension Act, only £2,000 was voted for Auckland. He thought the House should remedy the inequalities as far as it could, and do justice to that provincial district.

Major ATKINSON said that the Superintendents and Executives were always required to satisfy the Government that there was money to meet the expenditure proposed to be undertaken. The Government could not undertake to stop all such works in the provinces. It seemed quite fair and reasonable that this vote should be passed, and it was the duty of the Government to equalize some of the irregularities that had occurred. The great difficulty was, as to how the money was to be divided. He should like, if possible, the expenditure of the vote to be confined to really new and important works. He did not think that the vote ought to take the place of rates.

Mr. ROLLESTON said the honorable member for Egmont had just stated that the only difficulty was as to how the money was to be divided, but, to his (Mr. Rolleston's) mind, the great question was, as to where the money was to come from. They voted money for roads and bridges as if there was no difficulty in obtaining the money. It was simply madness to go on making these appropriations without any statement as to where the money was to come from. He would record his vote against this item.

Mr. MACANDREW said they had heard a great deal about the "bogus" Estimates of the Provincial Government of Otago. He could say that the money voted in those Estimates had been expended on very important public works, and to a large extent on railways, on which there were contracts undertaken extending over a period of years. There was not the least doubt that when that expenditure was undertaken, if they had been allowed to manage their own affairs, they had the power of realizing on their waste lands, and there was no difficulty as to meeting their engagements at the proper time. There were contracts now going on which had been undertaken by the provincial authorities of Otago. No objection had been raised to the appropriation of a sum of £30,000 for the construction of a road in the Province of Nelson. He would ask whether Nelson had the means of paying that money. He had no doubt it was a necessary and right work on which to expend the money.

Mr. BOWEN wished to know whether the £9,000 stated to be provincial liabilities for the Province of Auckland was to be included in this £40,000.

Mr. SHEEHAN replied that the £40,000 would cover the £9,000.

Mr. MONTGOMERY said that, although the provincial liabilities of some provinces were larger than those of others, there were also larger assets in those provinces.

Mr. ROLLESTON wished to know whether the £260,000 to be expended in liquidation of provincial liabilities was in addition to the provincial liabilities on the Estimates that had previously come before them.

Sir G. GREY replied that this sum was not in addition, and was the only amount that was asked to be voted.

Major ATKINSON took it that the position was this: The Government first of all sent down what were called provincial liabilities, amounting to £661,000. They subsequently looked into the matter, and found that these were not all provincial liabilities, but that there were considerable assets to place against them. They now found that £260,000, plus £10,000, which they proposed to take for Auckland, would be required during the current financial year to pay the whole of the provincial liabilities, in addition to the amount which was at present to the credit of the vote. The Native Minister then in effect said, "I do not wish to have these votes on the Estimates, but I ask you for a lump sum, plus my credit, to meet the liabilities for the year, and, if you give me that, I shall not commence any new works."

Mr. SHEEHAN said the honorable gentleman's explanation was correct, except that the Government simply asked for £300,000. To provide for that, there was already £150,000 to the credit of the vote, and the Government were going to take a similar amount from the loan. That was all they intended to spend during the current year on this account.

Mr. GISBORNE wished to know whether the money was to be given to Auckland in cash, or whether it was to be expended on works carried out under the direction of the General Government. He would prefer to see it spent in the latter way.

Mr. REES thought that was a good suggestion, inasmuch as the County Councils and Road Boards were not responsible for their expenditure to the House. If the money were expended under the direction of the Government in opening up districts and carrying out special works, the Minister in charge could be called upon to explain how the money was expended. Although there was no regular schedule with regard to Auckland, he felt sure the Committee would gladly accede to this vote. Notwithstanding the enormous area of Auckland and its large population, there had been much less spent in that district in proportion to its area and population than had been expended in any other district in the colony. Auckland had a just and valid claim to ask the House to give it this money.

Mr. BOWEN thought it would be better to give the money *pro rata* to the counties. There was no doubt that it would not discourage rating. On the contrary, it would be a stimulus to rating, because under the Act it would be paid to the counties on the rates raised in them. It would give more satisfaction to the outlying districts in Auckland if the money was given to them in that way.

Mr. STEVENS would be glad if the Minister of Justice would state exactly how much he proposed to pay on account of provincial liabilities between the present time and the 30th June, inclusive of the money which he had got in hand, and which he estimated at £150,000.

Sir G. GREY said that the intention was to

expend £300,000, inclusive of the £150,000 to the credit of the account.

Mr. STEVENS understood the proposal with regard to the £40,000 for Auckland was to deduct £10,000, and make to that province a special allowance of £30,000 in addition to that amount, by way of subsidies on the principle established by the Financial Arrangements Bill. That was simply giving an extra amount for the purpose of raising the payment on account of a particular locality to a certain standard, with a view of putting it on an equality with other districts. He did not think that was a satisfactory way of dealing with the matter. It would be far better, in view of the large appropriations for works of a small character which had been passed on a previous evening, to reduce these so-called provincial liabilities, rather than adopt a plan which would increase them. It meant that the House was going to vote away, to an almost unlimited extent, sums for these works all round the country. He trusted the House would not pursue that course in future, and he should now vote against this item.

Mr. WOOLCOCK thought the *pro rata* system very objectionable, because large and rich districts, which wanted the money least, would get most of it; whereas the outlying districts, to which it was specially desirable to give the money in order to open them up, would get the least. Under the *pro rata* system the amount those districts would receive would be small, and it would not be expended for the purposes for which the House voted it. He should prefer that the Government should undertake to expend this money, and that it was devoted to new works in outlying districts.

Mr. REID might explain that there was a great deal of misapprehension about what were called the "bogus" estimates of Otago. Those estimates had been very carefully considered. It might be that the Provincial Council in its last days was inclined to be liberal, but any one who looked down the items could see that none of them were extravagant. Those works on which the larger sums of money had been expended had become the property of the colony, and the district ought to be credited with the value of those works. The colony had taken the provincial assets as well as liabilities, and had nothing to complain of in that respect; and the Government would not be treating the district properly unless the proposed works were carried out. If Otago had done as its neighbour did, and saved up its money, instead of expending it in useful works, it would now have plenty of money to expend on its works. Otago had the largest assets from waste lands of any district in the colony, and no objection should be made to voting these small sums. He did not know what was the meaning of the words "on such services as the Governor in Council shall from time to time determine," in the description of the vote; but he thought it would be better to strike those words out and treat the whole sum as to be devoted to works recommended by the provincial authorities. He would not object to the vote for Auckland, looking at the destitute state of that district; but he did not understand

what was meant by reducing the amount to £30,000.

Mr. ROWE hoped the vote would be passed. The Government, by putting the amount on the Estimates, showed the people of Auckland that it wished to do justice to them. He did not see that there was any necessity to discuss the matter further.

Major ATKINSON believed that if anything like this were put into the Appropriation Bill the Government would get themselves into a difficulty. The honorable gentleman in charge of the Estimates would find that, if he proposed to spend only £300,000 on provincial liabilities during the current year, and only asked for that sum, he would run short of funds. He (Major Atkinson) understood the Premier to say that he proposed to increase the amount by £100,000, and that he was going to take the £260,000 as voted here plus his assets. He was of opinion that the Government should have at their command a sum of not less than \$450,000 or \$500,000. They should certainly not have less than \$450,000—that was to say, the £300,000 which they had got in the Loan Act and the £150,000 of assets which they possessed. He would advise them to consider whether the sum they asked for was sufficient.

Question put, "That the item be agreed to," upon which a division was called for, with the following result:—

Ayes	...	...	...	...	33
Noes	...	...	...	...	9
Majority for	...	...	...	...	24

#### AYES.

Major Atkinson,	Mr. Macandrew,
Mr. Baigent,	Mr. Macfarlane,
Mr. Ballance,	Mr. Manders,
Mr. Beetham,	Mr. Nahe,
Mr. Bowen,	Mr. Rees,
Mr. J. C. Brown,	Mr. Reid,
Mr. Bunney,	Mr. Rowe,
Mr. Carrington,	Mr. Sheehan,
Mr. Dignan,	Mr. Stout,
Mr. Fisher,	Mr. Swanson,
Mr. Gibbs,	Mr. Takamoana,
Mr. Gisborne,	Mr. Tole,
Sir G. Grey,	Mr. W. Wood,
Mr. Hunter,	Mr. Woolcock.
Mr. Hursthouse,	<i>Tellers.</i>
Mr. Kelly,	Mr. Hamlin,
Mr. Kennedy,	Mr. Joyce.

#### NOES.

Mr. Fitzroy,	Mr. Stevens,
Mr. Johnston,	Mr. Teschemaker.
Mr. McLean,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Brandon,
Mr. Richardson,	Mr. Rolleston.

Item, £300,000, agreed to.

Resolutions reported to the House, and agreed to.

#### WINTON-KINGSTON RAILWAY.

Mr. JOYCE moved, That it be an instruction to the Government to institute such inquiries during the recess as will enable it to place before

*Mr. Reid*

the House a statement of the reasons that led to the construction of the Winton-Kingston Railway extension by private contract. He might state that there was very great dissatisfaction felt in the South concerning this matter. There might be good reasons for this course being adopted, but he was led to believe that the arrangement would result in considerable loss to the Government.

Mr. SHEEHAN had no objection to the adoption of the resolution, and, if possible, he would give the reasons next sitting day.

Motion agreed to.

The House adjourned at half-past eleven o'clock p.m.

### LEGISLATIVE COUNCIL.

*Saturday, 8th December, 1877.*

Appropriation Bill—Immigration and Public Works Appropriation Bill.

The Hon. the SPEAKER took the chair at half-past seven p.m.

PRAYERS.

#### APPROPRIATION BILL.

This Bill was read a first, a second, and a third time.

#### IMMIGRATION AND PUBLIC WORKS APPROPRIATION BILL.

This Bill was read a first time.

The Hon. the SPEAKER.—In putting the question, "That this Bill be now read a second time," I consider it my duty to point out that, after the maturest consideration I could give the question in so short a time, the Bill only having been placed in our hands an hour or two ago, it appears to me that there is—of course, unintentionally—an infringement of the privileges of this Council by the insertion in the Bill of clauses 13, 14, and 15, which cannot come under the category of appropriations. Perhaps, under the circumstances, the Council should not take any further notice of it, except to deliver a message to the other branch of the Legislature somewhat in these terms:—

"The Legislative Council informs the House of Representatives that, upon examining the Bill intitled 'The Immigration and Public Works Appropriation Act, 1877,' which the House has transmitted for their assent, the Council observe that in the 13th, 14th, and 15th clauses certain acts are authorized to be done by a corporate body, and certain property is expressed to be vested in such body. The Council, on referring to 'The Immigration and Public Works Appropriation Act, 1876,' find that a certain power was granted by that Act to the Governor which may be deemed to have been the cause of the clauses in question having now been incorporated into the present Immigration and Public Works Appropriation Bill; and on this account the Council are willing to waive the objection they would otherwise have taken to the insertion of these clauses in the said Bill, and the Council do

this in the full belief that it was not the intention of the House of Representatives to annex clauses to one of their Bills of Supply, the matter of which is foreign to and different from the true matter of such Bill of Aid or Supply. The Council have accordingly passed the said Bill, and now return the same to the House of Representatives as one of their Bills of Supply."

That is the course I would suggest that the Council should adopt.

The Hon. Colonel WHITMORE.—I have to express my very great regret that there should have been any infringement of the privileges of this Council committed in a Government measure of this sort. I am sure that it was an oversight, and it was not contemplated that such an interpretation would be put upon this portion of the Bill. It was a slight extension of an appropriation of last year. This provision was not put in with the smallest desire to infringe the rights of the Council in any way. Under these clauses alone can we carry on any dealing with the Pumping Association at the Thames, upon which all the mines that are yielding gold are depending. Legislation was required, or these mining operations would come to a stop. Under that pressure the clauses were put in, perhaps without sufficient reflection. I feel quite sure that the Government will accept the message from the Council in the way the Council would wish, because they recognize their responsibility if such a breach has been committed; but the Council, in passing the Bill, would very greatly promote the public convenience.

The Hon. Mr. HART.—It appears to me that a breach of the privileges of the Council has been committed on the present occasion. It is a question whether a distinct measure for promoting the object in view might not have been brought forward early in the session, and, if proper statements had been made to this Council, I am sure that it would have concurred in such a measure. However, I consider this to be a very dangerous precedent.

The Hon. Mr. MANTELL.—I would remind the Council that this is not the first, second, or third time in which Appropriation Bills have come to this Council with what are called "tacks" appended to them. I think that in future sessions we should avail ourselves of that period of the session when there is a full attendance of members of the Council to table a resolution expressing the mind of the Council as to the proper course to be adopted in cases of this kind, which might serve for the guidance and support of those members who remained until the end of the session. Failing the adoption of any such resolution during this session, and accepting in this Chamber the assurance given by the honorable member representing the Government, it may be sufficient to adopt the message which you have just read. I hope in another session we shall see our way to take some course which will, while respecting the privileges of the other House, induce the honorable gentlemen in that Chamber to respect ours.

The Hon. Sir F. DILLON BELL.—Sir, the Council will feel very much indebted to you for

the faithful performance of your duty in guarding the privileges of this branch of the Legislature by the course you have felt it right to pursue. It is a matter for congratulation that the occasion on which the Council finds it necessary to take exception to any clauses in an Appropriation Bill should be one where no idea can be entertained that the House of Representatives had any intention of acting contrary to the rule which for two hundred years in the Imperial Parliament has been the guide in the relations of both Houses. However, Sir, the notice which you have been pleased to take of the present matter will call attention to the necessity for a careful observation of a rule upon which really rests the independence of both branches of the Legislature. The Council is not only indebted to you, Sir, for the manner in which you have brought the subject under our notice, but also to the Hon. the Colonial Secretary for the spirit he has displayed. It is my wish, even in this thin House, briefly to draw the attention of the Council to the course we are pursuing in our finance, for I cannot divest myself of a sense of responsibility which prompts me to place upon record, in the fewest possible words, the objection which I, as an old settler, and as a member of Parliament, entertain to the apparently reckless course we are taking in regard to our expenditure. The two Appropriation Bills before us are full of very grave warnings, and it is impossible to conceal from ourselves the dangerous position into which those appropriations are leading the public finances. I will give a few figures to show the prodigious rate at which we are progressing in our expenditure; and I am sure that, if those figures are brought to the consideration of the country, they will not be without effect upon every person who has any feeling of patriotism. It can hardly, I think, be known—except, perhaps, to the members of the Government themselves—what these figures are. The supplies for which we have to find ways and means in the year 1877-78 are as follow:—

Civil List	£2,760
Interest on Public Debt, Treasury Bills, and Bank Advances (according to the late Treasurer's tables)	1,038,226
Other Permanent Charges under Permanent Acts	67,911
	£1,190,887
Votes in this year's Appropriation Act:—	
Provincial Liabilities, General Government Liabilities, and Unauthorised Expenditure	519,855
Public Departments, Native Services, Management of Trust Funds...	£259,562
Land Administration and Surveys	269,975
Militia and Volunteers, Defence, and Armed Constabulary	169,948
Education	164,787
Railways and Public Works, including Purchases of Stores for the Workshops	571,393
	2,035,665
Total...	£3,736,407

So that, taking, firstly, all that part of the annual public expenditure over which Parliament has divested itself of annual control, by means of Loan Acts and other permanent Acts; secondly, the current liabilities of the Gene-

ral Government, and the provincial liabilities and engagements for which the House of Representatives has now made grants; and, lastly, the services of the present year, there is a total of no less than £3,736,407 to be met. But that is not all. The second of the two Appropriation Bills before us—namely, the Immigration and Public Works Bill—in addition to the sums I have just named, contains grants of money to the amount of £2,295,937 for railways and public works, and a vote of £10,000 for the Mountain Road in Taranaki. Thus, the House of Representatives has allowed to be expended this year on public works, by the second of these Bills, a sum of £2,305,937; and the total appropriations made by both Bills added together amount for 1877-78 to the enormous sum of £6,042,344.

The Hon. Colonel WHITMORE.—No.

The Hon. Sir F. DILLON BELL.—I assure the honorable and gallant gentleman that I am only taking figures which are expressly named in the various clauses of these two Bills; and that, having taken pains to get them out accurately, I am quite correct in giving these as the grants of money for which, including, of course, payments under permanent Acts, the assent of this Council is now sought. Sir, this is surely a very serious matter for us all, for if we turn from these vast sums to the amount available from all sources of ordinary revenue as estimated for the present year, and starting, that is to say, with £148,220, which appeared in the original Financial Statement of the late Colonial Treasurer (now adopted by the present Colonial Treasurer) as the credit balance with which we began the year, and adding to that credit balance the whole proceeds of the Consolidated Fund estimated for the year, including receipts from railways and every other source, except the land revenue, the total is not estimated to yield more than £2,468,880; and the balance of expenditure will, therefore, have to be made up out of the land revenue, or by further debt. How can any of us look upon such figures as these without grave alarm? We are about to borrow two millions and a half more to go on with the railways and other works upon which we have been engaged. Now, I say that to attempt to complete our railways, and to spend on other objects besides the amounts which these Appropriation Bills allow the Government to spend in the course of the current year, is to attempt doing what it is utterly impossible for the colony to do, unless we are willing blindly to run into further debt to a dangerous extent. I wish, Sir, that we could all take a lesson from such figures as are brought before us in these two Bills. I am not accusing the present Government of extravagance in their ordinary Estimates, or of improperly increasing the departmental expenditure, for there is no very serious difference between the two Ministries about the expenditure upon ordinary current services of the year. But there is one thing for which the present Government, and, indeed, any Government, must be blamed—namely, that they have allowed grants to be put into the Appropriation Act which, had they been considered by the House of Representatives in

detail, must have received a very different treatment from what it is evident they have received in that House this session. I ask the honorable and gallant gentleman to remember that, though great sums are placed by these supplementary votes at the disposal of the Executive, it is impossible that there can be any one, either in this Council or in the House of Representatives, who does not know perfectly well that there is not the money to meet the votes. The only course, therefore, which the Government can adopt with any respect to themselves or safety to our finances, is resolutely to hold their hand, and stem, if they possibly can, this current of public expenditure which seems to threaten our destruction. If the existing Government really mean to follow up the policy by which they seemed to be initiating a safer finance than we have had for the past few years, much more must be done than merely taking the Land Fund into the general revenue, unless we are to go over the brink of difficulty and embarrassment on which we are standing into what can only be the abyss of our ruin. No trumpery saving that may be effected in the departmental expenditure during the next five months, no boasted change in the incidence of taxation, no device that the ablest of us could resort to in aid of the Treasury, will save this country from insolvency, unless the Government of the day, let them be who they will, sternly set their foot down against this madness by which votes are crowded on to the Supplementary Estimates at the last moment, in utter disregard of the certain fact that we have not the money to pay for them. This Council is not able to alter votes which the representatives of the people have chosen to pass. It ought not to be able to alter them. But, if the Council has any sense of self-respect, any desire for the true interests of the country, it can and will raise its voice, as I now dare to raise mine, against a course which, if persisted in, must destroy the property of the country, cause the greatest doubts as to the honesty of our people, and in the end give an evil name to us and to our country, making it as distasteful for new men to come into as it will be hard for us to live here ourselves.

The Hon. Colonel WHITMORE.—I do not wish to trouble the Council by going into finance at any length at this period of the evening, more especially as the Council is thin, and matters have been pretty well settled for this session. The honorable gentleman who has just sat down always devotes a great deal of attention to the financial branch of our politics, and he has said no more this evening than what has been said in this Council on many occasions—that is, that the rate at which we are spending borrowed money must soon be stopped, or the colony ruined. That is what he told us, and it is what every honorable gentleman with any reflection has seen for some time past. It is quite obvious that if we are spending two millions a year more than we have got we must be adding two millions a year to our debt. It is, consequently, the opinion of the Government that the country must be asked to support us in refusing to expend so much money from loan in the future. We must hold

*Hon. Sir F. Dillon Bell*

our hands; we must rest upon our oars; we must make that profitable which we have constructed, and not until we are justified by circumstances enter into new works on the scale of late years. We have taken a step in that direction by allocating a certain part of the Land Fund to the districts and continuing the subsidies, and we hope to find enough self-reliance in the country to induce localities to construct their works, rather than come to Parliament to ask for grants of money. But in one direction Parliament can do more good than even by deciding to have no new loans. What really upsets all finance in this country is the enormous amount of Supplementary Estimates which come up every year. That is what renders sound finance impossible in this colony, and the practice of crowding heavy items on the Supplementary Estimates seems to be increasing year by year. Instead of people being satisfied with what is done for them, it appears, on the contrary, that the more that is done for them the more they want. This year the Government have accepted, in the main, the Estimates of their predecessors; but, while taking power to spend this amount of money, they have given a distinct declaration that they will not feel themselves bound to spend the whole of the money. It is for that reason that the Estimates have not been so carefully considered as they otherwise would have been. The House of Representatives relies upon the Government, and the Government are therefore more strictly responsible for many works which appear on the Supplementary Estimates than they otherwise would be. The honorable gentleman alluded to the Mountain Road at Taranaki. I wish to point out that, in order to keep that expenditure within the four corners of the law, a vote has been taken but lately. But it is not a new outlay at all. The money is to be taken out of the surplus Taranaki Land Purchase Fund. There is a balance of £20,000 or £30,000 to the credit of that account, and £10,000 is to be taken for the purpose of making the Mountain Road. It is said to be a very necessary road in order to make the land lately purchased from the Natives available for settlement. I do not think that can be regarded as a bad investment, and the money, instead of being a fresh expenditure, is merely a transfer from one account to another. I am not one of those who say it is not within the functions of the Council to speak when it thinks necessary on the general subject of finance. I believe much good has been done on more occasions than one by a temperate and careful consideration of financial matters by this Council. It has been pretty well recognized, I think, that our debates on financial matters have exercised a great deal of influence on the country, and have done a great deal of good; and, while it is undesirable that we should be continually warning and speaking, I think that, now and then, whenever it appears we are getting too far ahead, and the country is taking the bit into its teeth and not reflecting, that a temperate warning from the Council may have more effect than any other remonstrance which can possibly be addressed to the

colony. I hope the Council, with its usual consideration, will pass this Bill. The responsibility for the items does not rest upon us, and it is practically a matter of form giving our assent to the Bill. Nothing but the most extraordinary circumstances would warrant us in rejecting the Bill, except on the ground of privilege, such as that we have already discussed. However, I think we have asserted our rights enough in that direction. I am obliged to you, Sir, for having drawn attention to the subject, and for having, with the assistance of the Hon. Sir Dillon Bell, framed a message which at once asserts our privileges and can produce no irritation in the other branch of the Legislature.

Bill read a second and third time.

The Council adjourned at twenty-five minutes to ten o'clock p.m.

## HOUSE OF REPRESENTATIVES.

*Saturday, 8th December, 1877.*

Third Reading—Canterbury Railway Bridges—Appropriation Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

### THIRD READING.

Immigration and Public Works Appropriation Bill.

#### CANTERBURY RAILWAY BRIDGES.

Mr. RICHARDSON wished to ask the Government a question, without notice. A telegram appeared in the papers, and a similar one had been read in the other branch of the Legislature last night, referring to what purported to be a serious damage to the bridge over the Rangitata River. He wished to know whether the damage was done to the railway bridge, or to both that and the road bridge. He hoped it was confined to the railway bridge, and that it was not of a serious nature. It was further reported that serious damage had been done to the Waimakariri Bridge. The river had been a constant source of annoyance and cost in consequence of the ever-recurring damage by floods. He drew the especial attention of the Government to this matter with the view of their obtaining a comprehensive report on the subject, so that the matter might be fully considered before any large expenditure was incurred in repairs. It would appear that one branch of the river was being diverted into another channel. He hoped that, before the Government committed themselves to any large expenditure, they would ascertain the best course to be pursued for protecting the bridge in future.

Mr. SHEEHAN said that, since the honorable gentleman had indicated his intention of asking this question, he had made inquiries on the matter, and had received the following information from the department:—

"The damage done is not large. At the Rangitata the groin on the south bank has sunk out of sight, which it was intended should be the case.



At the Waimakariri the north bank has been washed away at the same place as happened before."

With regard to the diversion of the last-named river, that was too great a matter to give an answer to off-hand; but the Government would make inquiries, and, if the damage was of yearly occurrence, they would consider whether it would not be better to adopt some permanent remedy rather than simply repair the damage done by the flood.

Mr. BOWEN wished to state that there was a strong opinion among the residents with respect to this bridge. There were constantly recurring difficulties in connection with the railway; and until there was more room under the bridge for the flow of water no substantial remedy could be applied.

Mr. SHEEHAN would have inquiries made. He was aware that in Hawke's Bay similar damage was done from severe floods, which had been previously unknown in that part of the country.

#### APPROPRIATION BILL.

On the motion for going into Committee on this Bill,

Sir G. GREY said,—I understand, Sir, it was agreed that a discussion should take place on the motion for going into Committee on this Bill, and therefore I wish to offer a few remarks to the House. In the first place, I think, at the close of so long a session, the longest since the General Assembly first met, I ought to make some observations with respect to some of the leading measures carried this session with which we have been connected, and also some remarks on the probable course of public business during next session. The one measure that I particularly wish to remark upon is the Financial Arrangements Bill, by which the Land Fund is made the common property of the colony. I desire to express my gratitude to the House for the very large support it gave in carrying that measure through. That support was a recognition on the part of this House of the necessity for that measure, and of the benefit which we may fairly expect from it. So large a support having been given to the Government on a measure of that kind, introduced at the end of the session, will, I think, go far to make the whole of the inhabitants of New Zealand consider that the measure was of itself a necessity, and is one of protection both to the outside creditor and to the future financial stability of the country. I can only say that it will be the duty of the Government, as far as possible, in carrying out this really great measure, so to act as to show that the confidence which the House has reposed in us has not been misplaced; and we shall do our very utmost to render it as beneficial in its operation in all respects as this House desires it to be. I wish also to express the sense of gratitude of the Government to the House for the manner in which it has placed funds at our disposal. I consider that we ought to feel most grateful for having the funds necessary to conduct the public business placed at our disposal, as I must say, with very great liberality. Very large discretion-

*Mr. Sheehan*

ary powers have been left in the hands of the Government with regard to the expenditure of votes, and we shall endeavour to carry out the pleasure of the House by exercising those powers with as much prudence and foresight as we possibly can. I assure the House that no expenditure will take place without its being first carefully considered; and I trust that next session the House will admit that, while, on the one hand, we had great powers confided to us, on the other hand those powers have been most carefully used, and that the votes have been dealt with in the frugal manner which it is the desire of this House should be observed. Then, Sir, I should like to make a remark upon another point which arose accidentally in discussion last night, because it is a point which will require our careful consideration, as it is connected to some extent with the distribution of the public funds. It was asked by one honorable gentleman—and it was apparently a sentiment which found an echo in the House—with respect to those settlements which may be regarded as outposts, whether it would not be better to break them up, rather than incur an expenditure on their maintenance, especially as that expenditure was likely to be large. I trust the House will agree with me that that was a great fallacy to put before the country, because we must never forget that in this country it is a question of civilization in the midst of semi-barbarism. It is a peculiar position, and I have no hesitation in saying that, if any settlements are formed as what I may term outposts of civilization, in positions of danger, the inhabitants of those settlements must not be allowed to depart from them. Even if they should desire to do so, it will be our duty to say to them, "You ought to maintain the positions in which you are placed." But, while we say that, we must extend every sympathy to them, and let them know that, while we require them to maintain their positions, we shall give them every assistance in doing so. For, in the case of civilization in contact with semi-barbarism, the relinquishment of one point means the relinquishment of many points: once barbarism sweeps civilization before it, no human intellect can tell the point at which the advancing tide can be checked, or where disaster will follow. The only proper course is a resolute determination, from the first, not to put your foot down until you are certain of your ground, but, when once it is set down, never to draw it back. That must be our policy. I desire next to point out the great difficulties resulting from the absence of what I may call well-defined parties in this House. I believe that it is only possible to carry on what we understand by responsible government where two well-defined parties exist in the Legislature. Under such circumstances the government of the country becomes comparatively easy, and, I may say, the welfare of the inhabitants is almost certainly insured, because it is then in the power of the people at any time to make their influence felt; and, inasmuch as public opinion varies rapidly in these new countries, I think it is essential that well-defined parties should exist, and that the inhabitants should have an

opportunity of taking, from either one party or the other, leaders who are capable of giving effect to the well-formed desires and wishes of the great majority of the people. We shall endeavour next session to remedy, as far as possible, the evil of which I complain, by bringing forward great and well-defined measures, which must have the effect of creating a strong public opinion throughout the country. One of those measures will be, as I have already stated in glancing at the subject, a Bill which will secure a franchise of the most liberal description, with fair representation to the inhabitants of every district, and, as far as possible, freedom and purity of election. I have referred to that measure first, because I believe that any other advantages which can be gained for the country can only be made permanent, and a further extension of them made a matter of certainty, by power being placed in the hands of the people to make the will of the majority really and truly felt. That is the basis on which we must build all further improvements that we intend to introduce into New Zealand. The next thing we shall consider will be the question of taxation. We shall endeavour, as far as possible, to provide that every inhabitant shall contribute to the revenue in some fair proportion to the advantages which he derives from the country; and, in doing that, I trust that we shall also be able to relieve the people of some of the burdens which, in our opinion, at present press so heavily upon them. Having secured an increase of taxation in one direction, we shall secure a diminution in another, which will afford great advantages to New Zealand. We shall then direct our attention to another point, and that is, to secure a simple means by which the lands of the colony may be occupied with greater facility than has hitherto been the case—occupied, indeed, under a system of such fairness that it will be impossible for an advantage over others to be given to one class of the community, or to a single individual, and under which such facilities will be afforded as will enable every man who desires it to secure a home for himself and for his family in this country, until that time arrives when waste lands no longer exist, having been entirely taken up by the settlers. I would point out that we have a great advantage in New Zealand in attempting to introduce measures of this kind. In Great Britain, as is known to all who hear me, various institutions exist which have no place in this country. There is an Established Church, with certain privileges and powers granted to the dignitaries of that Church—powers of legislation, and various other powers which tend more or less to interfere with the course of legislation. There is also an hereditary Upper House, without whose consent no laws can be passed, and not only possessing power over the legislation of the representatives of the people, but exercising that power principally in the direction of retarding that legislation where it may point too much in the direction of diminishing their own power and increasing that of the inhabitants of Great Britain. In England, whether rightly or wrongly, a feeling very generally prevails that the safety of the Crown

depends upon the preservation of privileges of that kind, not only to the two great bodies which comprise the Legislature, but also to other bodies. It is felt that the many checks imposed by these dominant bodies in England are, as it were, concentrated in the hands of the Crown, to enable it to defend itself against encroachments on its authority. Nothing of that kind exists in this country. The only relations between the Crown and its subjects in New Zealand are relations of loyalty and affection. The Crown can feel no danger to itself, *quod* Crown, in respect to the legislation of this or the other Chamber. The Crown can only desire the prosperity and welfare of the people of this country. It can only hope that the happiness of the people of New Zealand may be so great that they may ever desire to remain attached to Great Britain, and think it one of their greatest privileges to belong to a power which sways the world by its influence. I may say that in no part of its possessions is the Crown more loyally or affectionately regarded than in this colony, and that none of us can contemplate any action that would trench upon that affection or loyalty. Therefore we are free from all those apprehensions which prevail in England with regard to the effect which the extension of the privileges of the people may have upon the rights of the Crown. We start unweighed in the race which leads to complete freedom—to liberal institutions of the most complete and perfect kind. I feel, therefore, that in attempting next session to introduce measures of this sort, if they are likely to promote the ends I have named, we shall, in claiming for them general support, be unfettered by those anxieties which press upon the people of Great Britain, or by the influences of those persons who nominally wield the powers of the Crown, but are really only exercising powers under authority from subjects. Therefore we shall next session look to this House of Representatives to help us in getting those advantages which it will be our effort to obtain.

Major ATKINSON.—Sir, I am sure we have all heard with very great satisfaction the exceedingly high aims which the honorable gentleman at the head of the Government has set as a guide for himself during the recess. But our satisfaction is a little dimmed when we remember that these high aims have been actuating the honorable gentleman for the last thirty years. We have had them repeatedly put before this House; and, when we compare the high aims which the honorable gentleman says are his sole motive with the action which he has already taken and the proposals he has submitted to the House in any practical form, we are rather inclined to think that the honorable gentleman is better fitted to broach theories than to propose practical legislation which will be satisfactory and beneficial to the country. I am not going to follow the honorable gentleman, although I differ from him very materially as to the principles and motives which are guiding the great parties in England. I differ from him entirely in thinking that by any measures he is going to introduce into this House he will be able to produce two well-de-

finer parties in the country. There are no great questions, as far as I can see, at present waiting solution that can possibly divide the country into two distinct and well-defined parties. When I say that, I mean that the questions are not ripe for decision by the House at the present time. It is possible that in the course of years we may arrive at a time when we shall have to fight the battle of free-trade and protection. No doubt while that battle lasts it will divide us into two distinct parties; but, as far as I can see, no question upon which the honorable gentleman has touched will have the effect of dividing the country into two distinct parties. Therefore I can only hope that we shall continue to govern the country much as we have done during the last few years, making the best of parties as they are until that time arrives when we shall be divided into two distinct parties. But I do not go as far as the honorable gentleman in thinking that good government is impossible with the materials we have now at hand. It is no doubt much more difficult and unpleasant to govern the country in this way than if we were divided into two parties; but we shall make a great mistake if we wait in the hope of having two parties before we determine to put the government of the country on the best possible footing. Sir, I desire to take this opportunity of examining how far we have got upon the great march upon which we have set out under the leadership of the honorable gentleman—a march which, I understand, is to lead us to great prosperity and absolute political purity. It is well that now, having arrived at the first halting-place, we should look back and see how much the honorable gentleman has already accomplished for us. The honorable gentleman, when he first assumed the reins of government, told us that one of the great objects which he desired to accomplish immediately was the rectification of our finance. He desired not only to put it on a sound footing for the future, but he desired to put an end to the “hand-to-mouth” finance, as he was pleased to term it, which we had carried out previously, and he desired to arrange matters so that ultimately the country should have sufficient means out of its consolidated revenue to carry on its public works, and, in the meantime, so that the outside creditor, being satisfied with our policy, would be willing to lend us sufficient money to enable us to carry on our necessary public works. I will ask the House to consider how far the honorable gentleman has succeeded in this, because, to my mind, that is a safe test to apply to his promises for the future. Let us see how far he has succeeded in doing what he said he would do when he first took office. Although the honorable gentleman has been so short a time in office, he did not approach this subject as a new one. He told us that he was intimately conversant with figures and accounts, and with the finance of the colonies, when I myself was either in my cradle or in my early youth; and in support of this it will be remembered that, upon one occasion last year, the honorable gentleman could not wait for me to state my views on the question of the incidence of taxation, but he was so full of the subject

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that he would spring to his feet and explain his great scheme—a scheme which the honorable member for Akaroa was willing to assist him in carrying out, and to fall down and worship him for having devised. He told us, after he had been in office a short time, that he had thoroughly ascertained the position of the country, and that he had devised a satisfactory and complete scheme of taxation, which would give security to the money-lender, and peace and prosperity to the colony. The only thing that prevented him from then shedding forth the light that was within him was, he said, that I had indecently and inopportunistically moved a vote of no confidence in him. That alone stood in the way of the honorable gentleman submitting his great scheme to the country at that time. Now, some two weeks have elapsed since then, and he has not yet given us any light on the subject. And what have we got instead of the complete scheme which was then ready? We got the Financial Statement of the Colonial Treasurer; but we have not heard one word about taxation. That Statement is all we have got from the Government, and, if it is correct, it must blast the credit of this colony, and rightly, for years to come. Although the Hon. the Colonial Treasurer and the Premier know the Financial Statement to be absolutely inaccurate, they have not had the moral courage to get up and admit to this House that they were entirely mistaken in the statement they had made upon finance. I say that this Financial Statement was the only outcome of all the promises of the Government. I may admit here that by taking the Land Fund, as the honorable gentleman has done, the accounts of the colony will be considerably simplified, although they will not be simplified to the extent that the honorable gentleman expected, because there will still be the necessity of keeping an account with the counties. It will, however, enable the Government to place more clearly before the public the actual position of the colony, but, at the same time, not more clearly than I did by bringing the Land Fund into the summary of revenue and expenditure I gave in my Financial Statement. In my Statement I put on the credit side the whole of the receipts, and on the debit side the whole of the expenditure, for the year. One of the objects of the honorable gentleman in taking the Land Fund during the current year was to strike a balance, for the purpose of making our revenue and expenditure equal during the current financial year. Under the proposals which I had the honor to submit to this House I showed that, by taking credit for the surplus balance which we had in hand at the beginning of this year, I should only require to take £167,000 from the Land Funds of Otago and Canterbury. By this means I obtained a fair margin of £100,000—a surplus which would have met any deficiency which might have occurred on the Estimates as submitted to this House. I showed that—and it has never been disputed by any honorable gentleman opposite—our proposals were sufficient for the year. That the calculations were reasonable is evidenced by the fact that the honorable gentleman has accepted them—or, perhaps, I

should rather say that this curious fact occurred: that the figures which the honorable gentleman has submitted to us in his estimate of revenue and expenditure for the year are identical with mine, and therefore I may take my figures as being sufficiently accurate as showing the position in which we shall be at the end of the year. It would, then, appear that the estimate of revenue and expenditure as proposed by the late Government was sufficient for the year. It is true that I only showed a surplus balance of £102,000, and that the amount of the Supplementary Estimates had to be deducted from that. I do not think that the Supplementary Estimates which I should have submitted to this House would have amounted to £80,000; so that the actual balance which I should have had would have been something like £20,000 wherewith to meet any deficiency in the Land Fund. Looking at the revenue which has already been collected, I must confess that I think that was a sufficient margin. It is impossible for anybody to say whether there would have been a small surplus or a small deficit at the end of the year, but if I had to make up those Estimates again I do not think I should alter them materially. Now, Sir, great fault was found with our finance. One of these faults was that, instead of saying that we began the year with a surplus of £148,000, I ought to have said that there was no surplus at all, because £150,000 worth of Treasury bills had been issued in aid of Land Fund. Honorable gentlemen on the opposite side of the House were very distinct in their statement that, before taking credit for that surplus, I ought to have paid off those Treasury bills and begun the year with a debit balance of £2,000. Great objection also was raised to the morality of taking so much money from the Otago and Canterbury Land Funds. That, as far as I know, was the only specific objection raised to the proposal which I submitted for balancing the revenue and expenditure. I should like to contrast that with the proposals of the honorable gentleman, who avowedly turned the late Government out of office because our finance was unsatisfactory. The honorable gentleman said he proposed to produce an equilibrium by fairer means, and to put our system of finance on a more permanent footing. Let us see how far the honorable gentleman has succeeded. I must confess that, to my mind, the position which our finance has assumed is very serious. In the Statement which the honorable gentleman submitted to us—and, although the document is without signature, without date, and without a heading of any sort, I take it for granted that it is an official document—the figures in the Estimates of the ordinary revenue are, as I have already said, identical with mine. I find, also, that the estimate of expenditure is identical. There is certainly an alteration in my estimate of the Land Fund. It is now calculated at £900,000 for the first six months and £550,000 for the second six months, my estimate being £890,000 for the year. The honorable gentleman, on this Statement, shows that he will have a deficit in June next of £138,000. The honorable gentle-

man has since submitted to this House the Supplementary Estimates of amounts chargeable against the Consolidated Fund, the sum-total of which is nearly £125,000. Therefore, taking those figures as correct, there is an absolute deficit of £262,000 shown, which has to be provided for by next June. There is one item here which I have been unable to trace, and I will consider that it is here in error, so as not to make the case against the Government any worse than it ought to be. At all events I have deducted it from the amount. It is an item of £15,000, which is put upon the Additional Supplementary Estimates. I cannot trace any such amount in any way. I presume the amount had been spoken of before the Estimates had been completed, but I do not know whether that is so. However, not to make the case worse than it is, I have deducted that from the deficit. Thus, according to the Government, we shall have a deficit next June of £247,000. I see no provision whatever made to meet this amount—none of any sort or kind. There is no imposition of an income-tax, no imposition of any tax whatever, although the honorable gentleman has a perfect scheme of taxation prepared, which, we are told, would give absolute satisfaction to everybody. These honorable gentlemen, who have undertaken to place the finance of the colony on a satisfactory and sound footing, come down and show us—the honorable gentleman himself shows it, not I, because I am taking his figures—that there is to be an absolute deficit, for which he does not attempt to make any provision whatever. I do not know—it is not my business, of course—but I do not know where the money is to come from. The Public Revenues Act, to which I will refer presently, provides that the honorable gentleman may issue deficiency bills to the amount of £400,000. I am glad he acceded to my request in that respect, and increased the amount from £300,000 to £400,000, because that will help him to a small extent. The position of these deficiency bills is this: We have already issued them to the extent of £300,000, and, if we are to believe the honorable gentleman, no part of that amount can be refunded from the Consolidated Fund—that is to say, the consolidated revenue cannot pay the amount, even supposing the estimates of revenue which he has accepted be realized—and he proposed to borrow £300,000 to repay it, but after some discussion withdrew it. There is no doubt that from £300,000 to £400,000 is necessary, as a working balance, in order to put us in a position to pay our interest when it is due. That being so, how is the honorable gentleman going to meet this deficit of £247,000? If he cannot use any part of these deficiency bills for the purpose—and it is quite certain that he cannot use more than £100,000 of them—where is he to get money to meet the rest? He has made no provision for it whatever—no provision in any form except this £100,000 additional deficiency bills, which I recommended to be taken. But that amount is required for a working balance, supposing even that the revenue and the expenditure were equal. I do not know whether the honorable gentleman has really considered this

matter. It may be that he can reduce his expenditure below the Estimates to the extent of £100,000; but still there is a large deficit, which, if the revenue falls off, there is no provision whatever for meeting. Then what can he do? There are two courses open to him—either to stop payment, or to call us together next year much earlier than usual. For a Government which promised to put our finances upon a sound and satisfactory footing, I must say that this is rather a poor beginning. Then, the honorable gentleman, when he introduced a Bill called the Public Revenues Bill, said it had been carefully considered, and that it was an infinitely better Bill than the one which the previous Government had proposed. But I venture to say there could be no improvement upon the Bill which we introduced, except as regards a few clauses relating to the alterations in the accounts which had been rendered necessary by the generalization of the Land Fund. A great deal of time was spent over the Bill we introduced, and there were more competent persons than myself who worked at it; and I have no hesitation in saying that it would have been far more effective than this one, had the present Government seen their way to go on with it. But they did not. They introduced a Bill which was supposed to simplify and explain everything, which had been thoroughly considered, and which was exactly suited to the finance they were about to introduce. I took upon myself at the time of the introduction of the Bill to point out a few radical defects. There is no doubt, had the Bill become law as introduced, that, immediately upon the prorogation of Parliament, all issues from the Consolidated Fund must have ceased, and further issues could not have taken place until the 1st January, and not then unless arrangements had been made to obtain advances to the extent of £300,000 upon deficiency bills. Nor is this all, for on that day the honorable gentleman at the head of the Government would have had an absolute right to expend, without appropriation, a sum of £300,000, instead of £100,000, as unauthorized expenditure. That I am right in this statement is borne out by the fact that, although the honorable gentleman did not receive my remarks at the time in the friendly spirit in which they were given, he subsequently amended the Act in every particular as I had recommended. I simply point this out to show the almost hopeless state of confusion of mind in which those honorable gentlemen on the Government benches are in regard to finance. I should not have said that, except that they claimed such an accurate knowledge of our finance, and had been so very clear as to the many faults which the late Government had committed. I do not know whether it is too late, or whether the honorable gentlemen are satisfied that the revenue received will be an increase upon the revenue estimated; but I should like simply to ask the honorable gentlemen, before the Appropriation Bills are finally passed, to consider whether they have a sufficient margin to allow them to meet the whole of the liabilities of the colony during the current year. The responsibility is of course off me entirely, and off

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this side of the House, when I have called attention to these facts. There is one other matter, as to the accuracy of the Government, which I should like to bring under your notice, Sir: that is, the question of provincial liabilities. It is well known that there have been a great many disputes between myself and the Government as to the accuracy of the statement that £200,000 more was required to meet provincial liabilities than I had made any provision for, and greatly were we surprised to find, in one of the tables attached to the Financial Statement, that the whole of these liabilities—£660,000—were charged against the ordinary revenue of the colony, and were treated as liabilities which ought to be provided for out of the ordinary revenue of the present year, by this means making it appear that our current expenditure was some £2,000 a day more than our income. And now we have the extraordinary spectacle of the Government not only not proposing to charge these liabilities against revenue, but providing for them, as we proposed, out of loan, and actually asking for less money to meet them than I thought necessary, and this notwithstanding the fact that the Premier says they amount to £200,000 more than my estimate. They insisted that £660,000 was required, but they only asked for £327,000. I want to know how they can reconcile such inconsistency. It was said that our Statements were incorrect, yet last night the Minister of Justice told us that many of the votes on the Supplementary Estimates ought not to have been proposed, that they did not mean to expend such an amount, and they would only ask for £327,000 instead of £660,000. With regard to the other part of the general policy of the Government, I would merely point out that all the chief measures of the late Government have been taken up, and have been carried through without material alteration. The Inscription of Stock Bill, which the Premier described as the most impudent proposal that ever was made to deceive Parliament, he subsequently introduced and spoke of as a very desirable measure; yet, when in Committee it was proposed to strike out the operative clause of the Bill, he was found voting against the Bill he had himself introduced. I merely point out these facts to show that the Government are absolutely without a definite or clear policy with regard to the finances of the colony. Then, with regard to the Education Bill: it is well known what were the honorable gentleman's opinions upon that subject, yet the Bill has become law without any material alteration; and the Land Bill has also passed; so that the one alteration made by the honorable gentleman in the proposals of the late Government was in regard to finance, and in that respect I have shown, by the honorable gentleman's own figures, that there will be a deficit on the 30th June next of £247,000. So that the only alteration which the honorable gentleman has made—having come into office with a view of placing our finances upon a thoroughly sound footing—the only alteration made, I say, is to have an absolute deficit, for which he makes no provision whatever, of £246,000 at the end of next June. And, then, with regard to next year. I

could have understood the honorable gentleman if he had said, "Well, it is true I must have a deficit this year—it would be unfair to seize the Land Fund too suddenly;" but it appears to me that he might very fairly have charged the expenses of the year against the Land Fund in the proportion in which it was raised if he is going to take the Land Fund over in this way, although I should say that the honorable gentleman was bound to make an equilibrium between the revenue and expenditure this year. That seems to me to be the fundamental point in starting: at any rate, that is what I set before myself. But, leaving this year, let us look at the next. As the honorable gentleman has referred to that, let us see whether he has really grasped the question which he shadowed forth this afternoon. He says he is going to impose this system of taxation which he has invented—I use the term "invented," for certainly no financier throughout the world has yet arrived at such a system as the honorable gentleman has shadowed forth, a system which will provide a large revenue and give satisfaction to all parties by reason of its absolute fairness. The honorable gentleman says he is going to put on an income and property tax, and he is going, in some form, to equalize the taxation. He did not use these exact words; but that is the effect of what he said. I do not know whether the honorable gentleman has thought the matter out, but I should imagine from his statement that he has not. I can hardly think the honorable gentleman, looking forward to the known increased liabilities we shall have to meet next year, could have talked of putting such a tax upon property as to be able to abandon any revenues now raised by the Customs. I am obliged to judge of the honorable gentleman by his past action. His idea of removing the burdens—as he is pleased to term it—from those upon whom they are unjustly imposed, is to repeal the duty on tea and sugar. I have no hesitation in saying that, if that is what the honorable gentleman intends to propose, he must of necessity be burdened by a still larger deficit next year than he has this year, because it is quite certain that by no process, excepting absolute confiscation—which, of course, would be killing the goose that lays the golden eggs—can the honorable gentleman possibly hope to obtain half a million of money by a property and income tax. A shilling rate upon the whole property throughout the colony at the present valuation, as given by Road Boards and Municipalities, only yields £130,000 a year; and yet the honorable gentleman, if he abandons the duty on tea and sugar, will have to provide a sum of, say, £150,000 to £200,000 in addition to the deficit he has this year of £246,000—that is, £450,000, in round numbers. But, if he proposes to borrow two and a half millions—and there is no doubt he will borrow it if he is able to get it, at whatever price he can, for the Financial Statement of the Colonial Treasurer shows that he must get it—he will next year have to provide for a charge of £125,000 more, making £575,000, besides additional charges for education and other matters. Where the honor-

able gentleman is going to get the money from I really do not know. Will the Land Fund help him? No. It cannot possibly help him, as far as I can see, unless he is going to sacrifice the land, and that is against all his instincts. He desires to see the land reserved for settlement and occupation by the people; therefore I cannot suppose that he will sell the land merely to provide revenue. There are the permanent charges on the land, which must be met, and which amount now to £643,000, and cannot be materially reduced. If there are very large purchases this year, as the honorable gentleman expects, to the extent of something like £1,500,000, he cannot possibly hope to get more than £900,000 next year; and if he only gets £900,000 he will not have anything to aid the consolidated revenue. He may have a little. To be exact, he will get about £25,000, because he will have to provide for the permanent charges, £643,000, and he will have to provide the 20 per cent. which he is going to divide locally, and this without taking into account the main roads, which he has told us he is very much inclined to take over, or the expense of which, he says, ought to be met out of the Land Fund, or local works, on which he has asked this House, or has assisted in getting honorable members to ask the House, to give him authority to spend a large part of the land revenue, or to set aside land, which is identical. I ask, What is the prospect for next year? I wish the honorable gentleman would turn his great ability to carrying out the practical part of the business of the country. I wish, instead of giving us those very pleasant disquisitions upon things in general, and those allusions to the human race, and to what posterity will think of us, he would give us some figures which would indicate how he intends to meet our requirements for the next year. He has already told us how he will do it this year, but he has created a deficit of £250,000, without making the slightest provision to meet it. There must be an increase in our expenditure next year upon those items I have referred to, and the receipts, which we have counted as revenue in all our calculations, must, if those calculations are correct, be short by £150,000, because we have included in this amount the balance with which we began the year. That reminds me of one point which I find I have left untouched. Several honorable gentlemen were very severe upon the late Government for having referred to the surplus with which we began the year, and declared that we should have made provision for taking up the Treasury bills issued in aid of Land Fund. I should like to point out that this Government, who are going to do everything in proper form, have themselves accepted that balance. The Colonial Treasurer, in his Financial Statement, accepted the balance as a surplus balance, and the honorable gentleman at the head of the Government has made no proposal to take up the Treasury bills which were raised last year upon the Land Fund. I am sorry to have troubled the House at such length: I did not intend to do so, but the subject is one upon which I feel very strongly. I feel that we are leaving things in a

very unsatisfactory state. I feel that the honorable gentlemen on those benches have not realized the position of the country, and I do hope yet that they will consider whether it is not wise and prudent of men who have such a great responsibility cast upon them to make some provision to meet the deficit which, according to their own showing, must take place, and which must be enormously increased if we are so unfortunate as to have a bad harvest, and, therefore, a diminished revenue. This is a question closely allied with the welfare and progress of the colony.

Sir G. GREY.—Out of respect, I feel that I ought to make some reply to the honorable gentleman. I will endeavour to follow his reasoning and his arguments as far as I can, and to supply answers to them. The honorable gentleman was very severe upon me, and stated that my future action might be judged of by what I have done in the past. He stated positively that for thirty years I had advocated high aims, but that up to the present time I had done nothing, and that there was no hope that I ever would do anything. To that I reply that I built up a Constitution which the honorable gentleman and his friends have destroyed without putting anything in place of it. I endeavoured to obtain for the people of this country liberties to which they were entitled; and they were in possession of those liberties until the honorable gentleman and his friends took them away. I obtained for the people a Constitution admittedly the freest enjoyed by any people in the world; and no one can deny that the honorable gentleman and his friends destroyed it, and endeavoured to place all power in the hands of the wealthy classes who kept him in power. He knows that that accusation of his was a mere piece of elocution, such as is uttered by boys when they declaim at meetings of boys in order to induce them to pass fanciful resolutions. The whole country knows that I did act, did create, and that the honorable gentleman destroyed. Who began the great reclamation in this city, which is now being finished? Who opened up the great roads which provided a means of communication between this city and the interior of the country? Who threw open the whole of the West Coast, the Wairarapa, and the country beyond the City of Wellington? Was it I? Who induced the Native population to turn to road-making, and to make those great roads which they have made? Was it I? And yet in this very place, where these very things have been done, the honorable gentleman did not hesitate to make the statements to which we have listened. I appeal to those around me to say whether those statements are true or not. I say they are not; and everybody else knows it. It is said that I promised that a satisfactory finance should be introduced, and that that promise has not been performed. What opportunity had I to perform it? How many weeks did that honorable gentleman follow me with an opposition of the fiercest kind? How long has his want-of-confidence motion been threatened? How long has that threat been suspended over my head? It has been hanging over our heads for weeks. Outside the walls of this House—I do not speak of the

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people of this country—he knows that I had not afforded to me that assistance to which I was entitled in carrying out the measures which would enable me to at once fulfil my promise.

Major ATKINSON.—I know of no such thing.

Sir G. GREY.—The honorable gentleman must have read it in the public prints, and yet he says "No." It is well known to all that my hands have been fettered and bound; but I know that they will not be bound much longer—that ultimately somebody will arise who will help me to carry out those things which I have commenced, and to aid the people in getting that advantage which they so much desire to have. We have been reproached by the honorable gentleman with having taken up his Estimates and with carrying out his financial scheme. I have already pointed out to the House the utter absurdity of such an argument. I showed that what are termed Estimates are essentially the work of the heads of public departments. I showed that we were compelled to take up his proposed expenditure—that at such a late period of the session it was impossible to avoid it. I call it "his" proposed expenditure—but it is expenditure which goes on from year to year. I invite honorable gentlemen to look at the Estimates, and note that there are two parallel columns, and that each year there is some slight addition made in one column. There are no new Estimates made year after year. With the exception of some trifling difference, the Estimates remain almost precisely as they were from year to year. The honorable gentleman knows as well as I do that it was impossible to make reductions in the Estimates. The honorable gentleman said we had not obtained sufficient means for the future. He prevented me from obtaining what means I required. Then, with regard to the provincial liabilities, he said they were very large, and that we only asked for £200,000. I say, the honorable gentleman knew that I asked for £500,000. I asked for it in this House. I read it over and over again in the Bill in which the sum was inserted, and the honorable gentleman did his utmost to prevent me from obtaining that amount. I believe he did so for the express purpose of using it as an argument afterwards, that we took £300,000 although we had said that so much more was required. Why did I take it, Sir? Because I could not get more—although I was well aware that, if it is not sufficient, a further sum will have ultimately to be voted for the purpose. The honorable gentleman knows that the provincial liabilities make up nearly a million.

Major ATKINSON.—No; I know no such thing at all.

Sir G. GREY.—The honorable gentleman was on the Public Accounts Committee when these facts came out—

Major ATKINSON.—The fact came out that they amounted to £181,000 after deducting the assets.

Sir G. GREY.—No more deceptive statement could be made to the House than that. It is not a thing to be foreseen: it is a fact that is past; it is not prophetic. I have no right to say that the statement is wilfully deceptive, but it is a decep-

tive statement to say that the provincial liabilities only amount to £181,000. There are other members of the Public Accounts Committee who can state whether that is the case or not. I really am unable to follow all the honorable gentleman's statements in detail. I see from my notes that the statements are a refutation of what he has said over and over again this session. He has said repeatedly to us, "You will not have sufficient funds; I warn you." It would have suited the honorable gentleman if we had asked for more. If we had fallen into that trap, he would at once have pounced upon us. The moment we asked for more he would have attained exactly what he desired. It suggests a watchdog with a bone at his feet, and, immediately a boy attempts to take it away, the dog springs upon him. That is exactly the case here? If I had applied to the House for more, the watchdog would have sprung up and seized me, and tried to make an example of me before every one; but I am not to be taken in in that way. I am too cautious to approach within the length of the honorable gentleman's chain and give him the opportunity of seizing upon me, for which he so much longs. He knew perfectly well that we were right in what we were doing in regard to our Supplementary Estimates. The honorable gentleman had set up an imaginary system of finance. He said, "My Estimates are so-and-so, and they amount only to £80,000." The honorable gentleman well knew that he left in the office behind him Supplementary Estimates to a much larger amount than that, which had not been brought before the House, and which we were compelled to take up.

Major ATKINSON.—I did nothing of the sort.

Sir G. GREY.—We could not help ourselves. There are plenty of witnesses besides myself as to the accuracy of that statement. We did not know that the honorable gentleman was keeping these imaginary accounts, and carrying on an imaginary correspondence, as I said the other night—keeping two sets of accounts, which were so confused that it was impossible to understand them. The honorable gentleman has talked of our ignorance of finance, and said we had not mastered the true finances of the country. Well, I defy any man to master them thoroughly at the present time. When the historian of New Zealand does his work, there will appear in it some such paragraph as this: "At the time when the enemies of the liberties of the people destroyed the Constitution of New Zealand, they embarrassed its finances, and thenceforward a long night of financial darkness spread over the country." I am certain that a paragraph of that nature in the history of New Zealand will accurately describe the state of financial darkness which we found to exist, and through which we are endeavouring to grope our way. It would be a difficult thing to say that we were perfectly masters of the finances of the colony. We never said that. In fact, we always said that we could not understand the finances; and I do not pretend now to have thoroughly mastered them. I believe there is no man who is at all ac-

quainted with them but would say that it would take several months yet to clear them up. I know that honorable members who are on the Public Accounts Committee have told me that they could make nothing out of them—that the provincial liabilities were absolutely unintelligible, and that the amount could not be made out. There was every opportunity given to that Committee for investigating the accounts, and they have come to exactly the same conclusion as I came to myself. I say, further, that the honorable gentleman was not justified in stating that enormous deficiencies stare us in the face, because we are not bound to carry out a great part of the expenditure which appears on the Estimates. It was distinctly understood that a discretion was to be placed in our hands—that if the Estimates were voted we were not to exceed them, but to try and make every reduction in them which we found to be practicable. I believe we shall be able very greatly to reduce the apparent deficiency which stares us in the face. I cannot say that we have only £100,000 to meet deficiency bills, because, as I am advised—and I believe I am well advised—we are not compelled to immediately repay the sum of £300,000 to which the honorable gentleman so constantly alluded. The honorable gentleman went on to recount all our faults. He was continually confessing that the Government of which I am a member had committed such and such faults; he confessed that we did not do right, that we deceived the public as to the state of finance, and that we were not going upon a sound footing. We did not ask him to make any confessions for us. Why did not he confess his own faults? His conduct is like that of the little girl who was asked to confess her faults, but who confessed to the faults of all the other girls in the place, and did not say a single word about her own. I deny that his confessions on our behalf were accurate. I say that we have done our best to put the finances of the country upon as sound a footing as we could during the short time we have been in office. Can any reasonable man say that we could do more, looking at all the difficulties we had to struggle with in Parliament when we first took office, looking at the state of parties here, looking at the state of the finances of the country on our coming into office, with every source of borrowing money exhausted—absolutely gone? Out of the £100,000 of unauthorized expenditure, £97,000 was expended when we took office. The whole of the £300,000 allowed to be borrowed from the Public Works Account was gone. Everything that the weakest men could lay hold of to save themselves from difficulty, was laid hold of by our predecessors, and there was nothing left for those who took their place. That was the position we were in; and, struggling against such difficulties, we have done our best. If we have failed in doing all we ought to have done, I regret it much; but I can only say that we have really done the very utmost that we could. There is one further thing I wish to remark upon. The honorable gentleman tries to make out that the Estimates were his own, instead of giving the credit



of them to those able public servants from whom they emanated, and whose Estimates they truly were. Not only does he do that, but he says we have robbed him of them. I say we have robbed nobody. If we had taken his Estimates without acknowledging, as we did more than once, that we had been compelled to adopt them, we might have been charged with having robbed him of that which was his property. But we robbed no one. As the people of this country are required to pay revenue to the State, and as the Government takes that revenue without being accused of robbery, so the public servants are obliged to afford us the revenue of their knowledge—the revenue of that knowledge of public subjects which they acquire in their offices—and we, as a Government, in taking that knowledge do not rob them. If they gave that assistance to the honorable gentleman they gave him no property that became his own. They gave him information to be used for the public service. Yet he ventures to stand up here and say, “You have adopted my Estimates!” He went further and said we had adopted his measures—“my measures!”—and he pointed to the Education Bill as an example. Sir, the Education Bill in its present form is not the measure he sent to the House. That was a measure by which freedom was not given to all religious bodies to have their youth educated as they thought proper. It was a measure which required the whole population to pay for the education of only a part of it. It was a measure that required the people at large to pay for the secondary education of the richer portion of the community. It was a measure which limited scholarships, and which was entirely unfair to the people of New Zealand. But we made that measure fair to the people; we made it suitable to all denominations; and we did so in spite of him. Instead of making education compulsory, we made it free. We took care that all alike should share the benefits for which all alike paid. We completely altered his measure. His measure consisted only of the ordinary clauses in any Education Bill, except one or two deformities. We freed it from those deformities; we made it fit for the country, and suitable to the inhabitants for years to come. That was our act, not his. I say that his measures would never have been a success if they had not been adopted and altered by us. It is true the Consolidated Stock Bill was carried through as it was introduced. I carried it through in compliance with the feelings of the members of this House, but with this precaution taken, that it was not necessarily to come into operation at once. I felt, and still feel, that in many respects it would be an unwise measure to force on at the present time. I have no recollection that I coupled with the measure those commendatory observations which the honorable gentleman put into my mouth. I was very careful not to do so, for I wished to refrain from making any remarks of that sort upon a measure of which I did not approve. As a Minister in this House, and in adherence to the wishes of colleagues and the wishes of my party, to whose opinion I owe much, I was bound to sacrifice, in part, the views which I entertain myself. It is a

*Sir G. Grey*

necessity which always presses upon a Minister, and from which he cannot free himself. In his desire to do great good in one respect, he cannot but support the views in other respects of those friends upon whom he depends to enable him to carry out the great objects he has at heart. He must not make sacrifices upon great principles, but, whilst he unhesitatingly maintains his convictions on those subjects, he is bound to make such sacrifices on minor questions as will enable his supporters to follow him in carrying out that which he considers most beneficial for the country: in order to constrain all to follow him who will cheerfully make concessions in order to carry out his views and support him in his general policy, he must make sacrifices on minor points. That was the feeling which actuated me in reference to carrying through the Consolidated Stock Bill. The honorable gentleman then went into the question of the finances for next year. I say that the finances for next year rest upon the people of New Zealand. If they determine to assist me in the policy which my colleagues and myself are resolved to carry out with regard to the future taxation of this country, we can then make a statement regarding future finance. The honorable gentleman was pleased to say upon that subject that the policy I proposed was a policy never heard of before as emanating from a statesman, and he turned the whole thing into great ridicule. A policy never heard of! A policy that never entered into the mind of any statesman! He calls it a new policy! Why, Sir, it is a portion of the policy of every great statesman of the age. Who was it that in England took the duty off tea? Was it not a great statesman? Who was it that took the duty off sugar and the necessities of every household? Was it not a portion of the policy of one of the greatest statesmen England ever had? I am but a humble follower of that statesman, and I did not in our proposals pretend to invent any new policy. I did not know that I should hurt the feelings of the honorable member for Egmont by pulling down the monster he has set up. I did not know that I should be injuring the people of this country if I brought about that which was desired by every father of a family—that which was called a free breakfast table, so that every family might partake of the necessities of life knowing they were not affected by any unfair taxation—a taxation imposed upon the poor in order to prevent the rich from contributing to the necessities of the country. The honorable gentleman said I was deluding the country—that I stated I was about to establish a taxation which would be contributed to with satisfaction and pleasure by all on account of its manifest fairness. I indulged in no delusive image of that kind. I knew that those who were long allowed by the honorable gentleman and his colleagues would still be allowed, if those gentlemen remained in office, to enjoy a system of taxation which made the many pay for the few: which made the people of this country pay for the railways and other works that gave an enormous value to property, and did not touch the shoulders of those who got this property, with the burdens they should

bear. I knew it was impossible to introduce a system of taxation of the kind I have proposed without raising against myself a host of enemies amongst the wealthy people who are the friends of the honorable gentleman. I knew that, as the leader of that party, he would regard me with bitter hostility—that no language which he could command would be neglected which would cast scorn upon what I was doing and doubt upon my actions. I knew that there were members of this House who, as far as he could influence them, would be led to malign me; but I knew that throughout the length and breadth of New Zealand hearts would beat with gladness at the attempts I was making in their behalf. I knew that, throughout the whole of the colony, with, perhaps, the exception of one part, joy would be felt that the Land Fund was made the common property of all. I knew that, wander where I might throughout New Zealand, if I could only obtain this fair system of taxation, and relieve thousands and thousands of households from charges unjustly imposed upon them, I should be met with smiles of welcome. I care nothing for the assertions of the honorable gentleman—I care nothing for the difficulties I have to contend against—while I know I have a phalanx of friends who will follow me to the death in this struggle. I know that all the energy and all the intellect my friends possess will be afforded me to lighten my task. I know that every effort that they can make to help me in this work will be made; I know that, with such a body of gentlemen to support me, and with such love and affection in this country as will support them and myself too, I shall accomplish the objects I have in view. We shall be able steadfastly to pursue the course on which we have entered, until we are crowned with the success which the people of New Zealand are determined shall be achieved for this their adopted country; and I care nothing for the remarks which have been made to-day in diminution and disparagement of my efforts.

Bill considered in Committee, and read a third time.

The House adjourned at a quarter past nine o'clock p.m.

## LEGISLATIVE COUNCIL.

*Monday, 10th December, 1877.*

*Business of the Session—Prorogation.*

The Hon. the SPEAKER took the chair at half-past two o'clock.

### PRAYERS.

### BUSINESS OF THE SESSION.

The Hon. the SPEAKER read the following return of business done during the session:—

#### 1. PUBLIC BILLS—

##### *Originated in the House—*

Received the Royal assent	...	125
Reserved for the signification of Her Majesty's pleasure	...	70
Dropped or otherwise disposed of	...	195

#### *Brought from Council—*

Received the Royal assent	...	13
Reserved for the signification of Her Majesty's pleasure	...	2
Dropped or otherwise disposed of	...	5
		20
		215

#### 2. PRIVATE BILLS—

##### *Originated in the House—*

Received the Royal assent	...	2
Dropped or otherwise disposed of	...	2

### PROROGATION.

The Hon. the SPEAKER acquainted the Council that His Excellency the Governor had been pleased to grant a Commission to the honorable members therein named for proroguing the Parliament.

The Commissioners seated themselves, and sent a message by Leonard Stowe, Esq., Clerk of the Legislative Council, desiring the attendance of the House of Representatives.

The SPEAKER of the House of Representatives, accompanied by honorable members, attended.

The Hon. the SPEAKER said,—

#### HONORABLE GENTLEMEN,—

His Excellency the Governor, not thinking fit to be personally present at this time, has been pleased to cause a Commission to be issued under the seal of the colony, appointing certain honorable members Commissioners for proroguing this present Parliament, which you will now hear read.

The CLERK of the Legislative Council read the Commission as follows:—

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, and so forth:

To the Hon. Sir JOHN LARKINS CHEESE RICHARDSON, Speaker of the Legislative Council of New Zealand; the Hon. Sir FRANCIS DILLON BELL; and the Hon. GEORGE STODDART WHITMORE.

#### Greeting:

WHEREAS the General Assembly of our Colony of New Zealand was begun and holden at the Government Buildings, in Molesworth Street, in the City of Wellington, on the 19th day of July last past, and is there now holden: And whereas by our letters patent, bearing date the 18th day of July last past, we did give and grant unto the said Sir John Larkins Cheese Richardson, Sir Francis Dillon Bell, and George Stoddart Whitmore, and any two of them, full power in our name to open and hold the said session of the General Assembly, and to do all things necessary to be done in our name, or in the name of our Governor of our said colony, in and about the holding of the said session of the General Assembly: Now know ye that for certain causes and considerations we have thought fit to prorogue the said General Assembly, and therefore we, confiding in your fidelity and discretion, have assigned and appointed you the said Sir John Larkins Cheese Richardson, Sir Francis Dillon Bell, and George Stoddart Whitmore our Commissioners, giving to you or any two of you, by virtue of these presents, full power and

authority, in our name and in the name of our said Governor, to prorogue and continue the General Assembly of our said Colony of New Zealand, at the said Government Buildings, in Wellington aforesaid, from Tuesday, the 10th day of December instant, until and unto Tuesday, the 29th day of January next, there and then to be holden and sit; and therefore we command that you diligently attend the premises and effectually fulfil them in manner aforesaid, commanding all and singular the members of the said General Assembly, and all whom it concerns that they meet in the said Assembly, by virtue of these presents, that they observe, obey, and assist you in executing the premises as they ought.

In testimony whereof we have caused our letters to be made patent, and the seal of our said colony to be hereunto affixed.

Witness our right trusty and entirely-beloved Cousin and Councillor George Augustus Constantine, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave, all in the County of York, in the Peerage of the United Kingdom; and Baron Mulgrave of New Ross, in the County of Wexford, in the Peerage of Ireland; a Member of our Most Honorable Privy Council; Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George; Governor and Commander-in-Chief in and over our Colony of New Zealand and its Dependencies, and Vice-Admiral of the same; and issued under the seal of our said colony, at Wellington, this 10th day of December, in the year of our Lord one thousand eight hundred and seventy-seven, and in the forty-first year of our reign.

NORMANBY.

The Hon. the SPEAKER said,—By virtue of His Excellency's Commission, under the seal of the colony, to us directed and read, we do, in His Excellency's name, and in obedience to his command, prorogue this Parliament to the 29th day of January, 1878; and this Parliament is prorogued accordingly to Tuesday, the 29th day of January, 1878.

## HOUSE OF REPRESENTATIVES.

Monday, 10th December, 1877.

Appropriation Bills—Prorogation.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

### APPROPRIATION BILLS.

Mr. SPEAKER took the opportunity of informing the House that, when he understood that it was not the intention of His Excellency the Governor to prorogue Parliament in person, he proceeded, in his official capacity, to wait on His Excellency the Governor, at Government House, and presented the Appropriation Bills for his assent. It was as well to bear in mind that Appropriation Bills constitute a special possession and privilege—a gift, in fact—held on behalf of a Commons House of Parliament by its Speaker in trust, to be finally bestowed or withheld according as it might appear that the intention and wishes of Parliament had been complied with or not.

### PROROGATION.

A message was brought by Leonard Stowe, Esq., Clerk of the Legislative Council, to the following effect:—"The Commissioners appointed by His Excellency the Governor to do all things in his name in order to the proroguing of this Parliament, request the attendance in the Legislative Council Chamber of the members of this honorable House, to hear the Commission read."

Accordingly the House, with the Clerk, went to the Legislative Council Chamber; and a Commission was read for the proroguing of Parliament.

The Hon. Sir J. L. C. RICHARDSON, Speaker of the Legislative Council, and one of the Commissioners, said,—By virtue of His Excellency's Commission, under the seal of the colony, to us directed and read, we do, in His Excellency's name, and in obedience to his command, prorogue this Parliament to the 29th day of January, 1878; and this Parliament is prorogued accordingly to Tuesday, the 29th day of January, 1878.

END OF TWENTY-SEVENTH VOLUME.

















